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COMMISSION OF INQUIRY INTO THE
USE OF DRUGS AND BANNED PRACTICES
INTENDED TO INCREASE ATHLETIC PERFORMANCE

B E F O R E:

THE HONOURABLE MR. JUSTICE CHARLES LEONARD DUBIN

HEARING HELD AT 1235 BAY STREET,
2nd FLOOR, TORONTO, ONTARIO,
ON FRIDAY, MAY 26, 1989

VOLUME 52

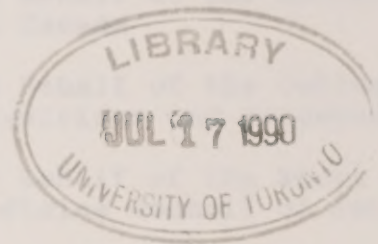
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C O U N S E L:

R. ARMSTRONG, Q.C. Ms. K. CHOWN	on behalf of the Commission
R. BOURQUE	on behalf of the Canadian Track and Field Association
E. SOJONKY	on behalf of the Government of Canada
J. PORTER R. STEINECKE	on behalf of the College of Physicians and Surgeons
T. BARBER	on behalf of the Sport Medicine Council of Canada
R. McMURTRY, Q.C. A. PRATT	on behalf of Charles Francis
E. FUTERMAN L. LIPKUS	on behalf of Ben Johnson
D. SOOKRAM L. LEVINE	on behalf of Dr. M. G. Astaphan
MS. G. PINHEIRO MS. B. CAPLAN	on behalf of A. Issajenko
O. SALA	on behalf of David Steen

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--- Upon commencing.

THE COMMISSIONER: Mr. Armstrong.

MR. ARMSTRONG: Thank you, Mr.

Commissioner.

5

GEORGE MARIO ASTAPHAN: Recalled.

--- EXAMINATION BY MR. ARMSTRONG: (Cont'd)

Q. Dr. Astaphan, when Ms. Chown and I met
with you and your counsel earlier this week, you told us
10 about some silver pills that you had gotten from Ben
Johnson and that you had had the pills tested. Can you
first of all just tell us about when you got these pills,
and what they were?

A. Yes. Those pills were pills in a tiny
15 plastic bag that were in his blue suitcase sometime in
June of last year.

Q. When he was in St. Kitts?

A. Yes. And I asked him what they were
and "these were pills for him to do his stuff".

20 THE COMMISSIONER: I am sorry, I didn't
hear you, Doctor?

THE WITNESS: For him to do his stuff.
They were supposedly sexual stimulants.

THE COMMISSIONER: I see.

25

MR. ARMSTRONG:

Q. I see, I didn't realize that. Okay.
And in any event, you had them tested?

A. No, I didn't have them tested.

5 Q. I thought you did?

A. No, I didn't. We were to hve them
tested. No, I said I got a couple of the pills from him.

Q. Yes?

10 A. And asked someone who was in St. Kitts
from California to take them back and see what they were
because I hadn't seen pills like that before. And the
information I got was that they were pills called (a)
steel drops, Zumba, or Kissometer.

15 Q. In any event, do you know what -- did
any of the components of those pills have any anabolic
steroid in them?

A. The pills consisted of
Methyltestosterone, Yohimbine, and some other herbal
extract. I don't know what the other herbal extract was.

20 Q. So, they contained testosterone which
we know is the original steroid?

A. Methyltestosterone.

THE COMMISSIONER: You didn't have them
tested yourself, I gather?

25 THE WITNESS: No, sir, no.

THE COMMISSIONER: You haven't seen the lab results?

THE WITNESS: No, they weren't -- I don't think they had them tested. What they did was they went to one or more of the California health food stores where you can buy them off the shelf. And asked, I suppose they asked the people there if they knew --

THE COMMISSIONER: All right.

THE WITNESS: -- what these pills were.

MR. ARMSTRONG:

Q. I am sorry, I misunderstood what you had told me. I had thought that you had told me that they had been tested.

A. No.

Q. In any event, Dr. Astaphan, there has been some evidence here about a particular bottle or vial that Ben Johnson had that contained a label on it which said "do not take within 28 days of competition". Do you ever remember Ben Johnson having such a bottle or vial of steroid with such a label on it?

A. No.

Q. Do you ever remember preparing a bottle of steroid, Estragol or any other steroid, and putting such a label on it for any of your athletes?

A. No. They didn't -- no labels had on "stop within any time".

THE COMMISSIONER: I thought you said in the conversation that was heard yesterday that you had put
5 on a bottle do not take after December 18th?

THE WITNESS: Yes, but I didn't say stop within 28 days.

THE COMMISSIONER: No, no, but did you put that on the bottle on the label.

10 THE WITNESS: Yes.

THE COMMISSIONER: Pardon?

THE WITNESS: Yes, sir.

THE COMMISSIONER: All right.

15 MR. ARMSTRONG:

Q. And I suggest to you, therefore, that if you did do something like that in the one occasion, that the Commissioner points out to you, it's possible that you may have done it on another occasion and put a
20 label on such as the one I have suggested to you, and you have just forgotten?

A. No, I don't remember putting any other labels on any bottles.

Q. All right. Then I just wanted to
25 clarify one point from yesterday. When I was asking you

about athletes other than track and field athletes with whom you had been involved, I wanted to make sure that I had it on the record that indeed apart from advice, monitoring, supervision, however you want to call it, you have had occasion over the years to administer or give anabolic steroids to athletes other than track and field athletes, including weightlifters, power lifters, body builders, and football players?

A. Yes.

Q. Then yesterday morning, Dr. Astaphan, you testified that there are I believe seven agents that are commonly used that can be prescribed in Canada that can be used to block steroids or used in some way to avoid a positive test for steroids. Can you just tell us please what those seven agents are?

A. The two most commonly used in Canada, one called Factrel and one called Pergonal.

Q. I am sorry, the first one is Factrel?

A. F-A-C-T-R-E-L.

THE COMMISSIONER: Is that a masking agent or a blocking agent?

THE WITNESS: That will mask any form of testosterone you give.

THE COMMISSIONER: It will masking any form of?

THE WITNESS: Any form of testosterone.

THE COMMISSIONER: What is the name of it?

THE WITNESS: Factrel.

THE COMMISSIONER: Is it made in Canada?

5 THE WITNESS: Yes, sir.

MR. ARMSTRONG:

Q. Is it F-E or F-A?

A. F-A-C-T-R-E-L.

10 THE COMMISSIONER: And the other one you
named?

THE WITNESS: Pergonal, P-E-R-G-O-N-A-L,
also made in Canada and available by prescription and
without prescription.

15 THE COMMISSIONER: Those are all available
by prescription?

THE WITNESS: Yes, sir.

THE COMMISSIONER: Any others that are made
in Canada and available here?

20 Well, I gather, Doctor, from this experience
of yours you are no longer interested in prescribing
steroids for athletes, are you?

THE WITNESS: No.

25 THE COMMISSIONER: Well, then you are not
giving away any trade secrets, let's hear the rest of your

repertoire?

THE WITNESS: They are not my trade secrets alone.

5 MR. ARMSTRONG:

Q. Well, if there --

A. Mr. Dubin, they are very easily accessible by just phoning --

10 THE COMMISSIONER: It will be helpful to us now if you know of them, we haven't heard the other ones yet, and I think it would be helpful for us if you could let us know.

THE WITNESS: Yes, there are tablets like Uricovac.

15 THE COMMISSIONER: Pardon?

THE WITNESS: Uricovac is one which I am not sure if it's available by prescription, but it's available in Canada.

20 MR. ARMSTRONG:

Q. Uricovac?

A. Uricovac. I will spell it properly for you. U-R-I-V-O-C-A-C. Urinorm.

Q. U-R-I-N?

25 A. -- O-R-M. Desuric, D-E-S-U-R-I-C.

Azubromaron, A-Z-U-B-R-O-M-A-R-O-N.

Q. That's a bit fast for me. A-Z-U-B-?

A. -- R-O-M-A-N. Benzbromane,

B-E-N-Z-B-R-O-M-A-N-E. And some people use

5 Sulfinpyrazone, which is sold as Anturan or Anturane in Canada.

THE COMMISSIONER: Angelin (phon) is the word?

THE WITNESS: Anturan.

10 THE COMMISSIONER: Anturan.

THE WITNESS: Yes, A-N-T-U-R-A-N.

THE COMMISSIONER: With a "J" or a "G"?

THE WITNESS: "T", Anturan.

THE COMMISSIONER: Anturan, I see. Yes.

15 Are they all in pill form?

THE WITNESS: Yes, sir.

THE COMMISSIONER: What other use would there be for those drugs?

20 THE WITNESS: Some of them use in conjunction with administering antibiotics, the same as Probenecid was used.

THE COMMISSIONER: To keep it in the system longer?

25 THE WITNESS: Yes. One of them is used for supposedly a blood thinner to increase Prothrombin in

time and also for an and anticouric, antigout medication and --

THE COMMISSIONER: Well, would this have the effect of keeping the steroid internal. You said it
5 won't pass through your system, is that what it does?

THE WITNESS: Well, yes, if you take these for three or four days before a meet, you don't pass anything out, any detectable stuff that is.

THE COMMISSIONER: Have you got another one
10 there?

THE WITNESS: Yes, but this is going to get me -- anyway, Carinamide. C-A-R-I-N-A-M-I-D-E.

Q. C-A-R?

A. -- I-N-A-M-I-D-E.

THE COMMISSIONER: Is that manufactured in
15 Canada as well or available?

THE WITNESS: No, but that's available in Canada, and that blocks everything.

THE COMMISSIONER: I am sorry, is it -- can
20 you get it by prescription in Canada?

THE WITNESS: I don't know, sir. I don't know if you can get it by prescription in Canada.

THE COMMISSIONER: It's available on the marketplace some place?

THE WITNESS: Well, it's available.
25

THE COMMISSIONER: In Europe or Asia,
where?

THE WITNESS: It's available in Canada,
too, but I don't know if it's available by prescription.

5 THE COMMISSIONER: I see.

THE WITNESS: But this is the Golden Boy
of them all.

THE COMMISSIONER: The Golden Boy?

THE WITNESS: That's right.

10 THE COMMISSIONER: It's a rather strange
name.

THE WITNESS: Pardon?

THE COMMISSIONER: It's a rather strange
name to give to a masking agent.

15 THE WITNESS: No, it's a name I am giving
to it because it is one that is (a) undetectable, (b) is
not banned, and, (c) blocks any type of steroid.

THE COMMISSIONER: I gather none of these
that you have mentioned are banned by the IOC or Sports
20 Canada?

THE WITNESS: Probenecid or
Probenecid-related compounds are banned.

THE COMMISSIONER: These are not related to
Probenecid compounds?

25 THE WITNESS: No.

THE COMMISSIONER: Pardon? No?

THE WITNESS: Not the Carinamide which is the one that any one sensible would use.

5 MR. ARMSTRONG:

Q. Well, let's just go through the list. Factrel, is it a Probenecid-related compound?

A. Absolutely not.

Q. Pergonal, is it?

10 A. No, sir.

Q. Uricovac?

A. I don't know. I have never used those things. Those are European, and they have been used in Canada, but I have never use Uricovac and the Azubromaron. I would suspect they would be somewhat related to Probenecid.

15 Q. My phonetic spelling isn't going to help me very much here. Was it Urinorm you said was the fourth one?

20 A. Yes.

Q. Is it a Probenecid-related compound?

A. I am not sure, but with any name like that I would imagine it is, it would be. I am not sure.

Q. Azubromaron, is it?

25 A. Azubromaron.

Q. Yes. Is it Probenecid related?

A. Again, I am not sure, but just from the name on the medication I would imagine so. It sounds as though it has the same basic molecular makeup.

5

Q. Benzbromane?

A. Benzbromane, yes. That's just another name, another drug or trade name for Azubromaron.

Q. All right. So, it is probably Probenecid related?

10

A. It could be. The name would suggest that it probably is Probenecid related.

Q. What about Anturan?

A. Is that?

Q. Is that Probenecid related?

15

A. In a remote way I would say yes.

Q. Carinamide, the Golden Boy, it's not Probenecid related?

A. Not related to anything.

Q. Is that a prescription drug in Canada?

20

A. I don't know. I really -- I don't know.

Q. It is obtainable in Canada?

A. Oh, certainly.

25

Q. What are the medical indications for it? What does one take it for if one isn't using it in

it's Golden Boy capacity?

A. Well, it's used in Europe for reasons like Probenecid when you are giving a combination of an antibiotic that you want to remain in the system for a little bit longer.

Q. I see.

A. But in Canada, I think it is just used as a blocking agent.

Q. All right. Now, what are the, apart from these blocking agents, I take it that if you used Carinamide what you are saying is that no matter what illegal or banned substance you are on, you take that and you are home and dry when it comes to the doping control test. Is that it?

A. Well, I can't answer about illegal drugs. I don't know anything about that.

Q. I misphrased it when I said --

A. But banned drugs, yes.

Q. Okay. Banned drugs. In regard to the steroids that you mentioned yesterday, you said apparently there were a number of undetectable steroids that could be used by Canadian athletes and others. And what are they, Dr. Astaphan, again recognizing that you are out of this business so you won't be giving away trade secrets?

A. The main group are the

dihydrotestosterone derivatives.

Q. Dihydro --

A. Dihydrotestosterone. Certain dihydrotestosterone derivatives.

5 Q. Well, is the way -- doesn't the IOC labs or labs generally, don't they detect testosterone, testosterone-derivatives by looking at the testosterone-epitestosterone ratio?

10 A. Or epiandrosterone, depending on what you call it, yes, but the labs are not -- the labs are a couple of years behind the athletes. Dihydrotestosterone does not breakdown into the same products as testosterone does. Testosterone breaks down into similar products to dihydrotestosterone and its derivative, but not vice
15 versa. It doesn't upset or in any way interfere with the six-to-one ratio that the IOC thinks will catch you.

20 Q. This dihydrotestosterone and its derivatives, the testing apparatus that's available on the market at the present time won't pick up metabolites of this drug or its derivatives?

A. It won't pick up an abnormal ratio, let me put it that way, which is what you mentioned testo-epitesto --

Q. Yes.

25 A. -- it won't -- won't touch that, no.

Q. All right. Well, again, I am somewhat ignorant of testing and testing procedures. Are there such things as metabolites of a drug such as dihydrotestosterone and can they, if they do exist, be picked up by the existing testing technology?

A. Which existing technology?

Q. Well, for example, the technology that is available in these Olympic accredited labs, such as Dr. Dugal's lab in Montreal, the lab in Seoul that tested Ben Johnson?

A. If they tested for the appropriate things, yes, but they don't.

Q. I see. So, it is really just a question of setting up the apparatus in such a way to pick up the metabolites or whatever of drugs such as these, is that it?

A. That's one part of it, yes.

Q. And going in to Seoul, of course, it was generally believed that the testing apparatus in Seoul at the time was not set up to pick up Stanozolol; is that not so?

A. It was. It was on the banned list.

Q. Well, it was on the banned list, but wasn't there a general belief in the community at the time that the equipment wasn't sufficiently sophisticated to

pick up Stanazolol?

5 A. I don't know. I had no interest in whether or not it could pick up Stanazolol. So, I don't know what -- what community are you talking about. It certainly didn't bother me.

Q. Well, you were pretty close to the scene just a few months ago, and you are one of the most knowledgeable people in the world on this subject. Wouldn't you know what the state of the knowledge was at
10 that time so far as Stanazolol was concerned.

A. The machine was programed to pick up Stanazolol. It is the same machine used in the Calgary Winter Games, which also gave quite a few false positives.

15 Q. There were false positives in the Calgary Winter Games?

A. That's the rumour that was going on. Since you are happy in the rumors.

Q. Apart from the rumor, do you have any solid information that that was the case?

20 A. Well, as solid as it can be. It came from some athletes who tested positive and they swore that they were not on what they tested positive for.

Q. Sorry, came from some athletes who tested positive and what?

25 A. They swore that they were not taking

what they were tested -- what they had tested positive for.

5 Q. Well, that, of course is, with all due respect, a fairly frequent occurrence. The first thing people do is deny that they are on steroids, the second thing they do is say if they were on anything they certainly weren't on the drug they were found positive for. That's so?

10 A. Well, that's what they would say to the officials, not to the teammates who knew what they were on. There is a little bit of a brotherhood amongst some of the athletes.

15 Q. Well, I think we have seen that the brotherhood of the needle is not always completely a meeting of the minds on all things; is that not so?

A. You go back to the Bible of Cain and Abel. They were brothers, too.

20 THE COMMISSIONER: We don't want to go back that far.

MR. ARMSTRONG:

Q. I will avoid the Biblical dissertation with you at the moment.

25 In any event, going back to where I started with you on these undetectable steroids, you say they are

the dihydrotestosterone group and its derivatives. Are there any others?

A. There are some others, but I have never done too much research on them. They are just names that are going around. So, I can't comment on those.

Q. What are the names that are going around?

A. Oh, there are all sorts of -- like custom steroids made my labs in San Hose, California. I forget the appropriate name for them.

Q. Custom steroids made in labs in San Hose, California, these --

A. One lab was in San Hose. I has since been closed down and shifted to the northern part of the State.

Q. I take it these are not ordinary pharmaceutical labs, these are labs manufacturing steroids on the black market; is that it?

A. That's it.

Q. In your experience over the years and your association with people who do have ready access to steroids, is that another aspect of the distribution situation that there indeed exists underground labs that, if I can put that term to it, underground labs, that manufacture steroids and make them available on the

non-pharmaceutical market?

A. Yes.

Q. Again without naming names here, do any such labs to your knowledge exist in Canada?

5 A. Yes.

THE COMMISSIONER: Who are they?

THE WITNESS: Pardon?

THE COMMISSIONER: Do you have the names of those labs?

10 THE WITNESS: No, I don't; no, sir.

MR. ARMSTRONG:

Q. Well, how do you know of their existence?

15 A. They exist.

Q. Well, that's just what, part of the rumor mill?

A. No, they exist.

20 THE COMMISSIONER: You don't know the names?

THE WITNESS: Pardon?

THE COMMISSIONER: Have you ever bought from them?

25 THE WITNESS: No, I haven't, but I know that they exist. You never know what they are putting in the

bottles. So, it would be sort of, you know, unwise to purchase stuff from them.

MR. ARMSTRONG:

5 Q. Well, I suppose that's because you as a medical doctor want to make sure that whatever your patients get are legitimate drugs that have come from a legitimate market; is that so?

A. No. I said I wouldn't buy from them.

10 Q. Yes. Then I asked you yesterday about a conversation that you had with Gary Lubin in the Baker's Dozen coffee shop.

Did you tell Ross Earl that you had indeed had a conversation with Lubin, but that it was a
15 conversation that indicated that the drug you gave Ben Johnson was vitamin B-12-Inosine mixture?

20

25

A. Yes, I told Ross Earl that I had conversations with Gary Lubin about Ben's vitamin protocol.

Q. And when you were in Rome in August of 1987, were you introduced to a reporter or representative of an Italian sporting publication?

A. Too many.

Q. What about a sporting publication by the name of Gazzetta Della Sporta?

A. I know the publication.

Q. I'm sorry?

A. I know the publication.

Q. And was there any discussion at that time or subsequent to Rome of 1987 about the possibility of you providing your story about steroids and Ben Johnson and so on to that publication?

A. No.

Q. And prior to the Olympics, was there any such discussion?

A. No, I was approached by a person you're speaking about. His name is Gianni Melo in Narita. He was with the Americans at the training camp somewhere outside of Tokyo and came to Narita one day because he had heard that Ben was injured, and Gianni and Ben were fairly close, and he came to the track with us, as a matter of

fact when Ben was training. He mentioned that he would like to do an article on not just me, but on Ben, Charlie and myself, and nobody was interested in doing any article, including the one which was subsequently published and said was an interview with me.

THE COMMISSIONER: I'm sorry, you said including--

THE WITNESS: Including an article which was subsequently published by him sometime this year.

THE COMMISSIONER: Which you said was not an interview?

THE WITNESS: That he said was an exclusive interview with me which was a surprise to me.

MR. ARMSTRONG:

Q. All right. Then Dr. Astaphan, you told us yesterday that you kept a separate sheet or a separate record in respect of your athletes concerning their steroid programs, and I'm not going to go back over the ground that I have already covered, but in the case of Ben Johnson, you provided us with his 1988 medical record beginning back in May of 1988?

A. Right.

Q. And going through to I think the end of August or early September 1988. Did you keep, apart from

that medical chart, a separate steroids record for him?

A. Yes.

Q. In 1988?

A. Absolutely.

5 Q. And you haven't provided that to us?

A. No, because two shots, two of the shots were given in Canada. The rest were given without the jurisdiction of Canada.

10 Q. I'm not following you. What does that mean? You--

A. I told you he received two shots from me at the end of August 19--

THE COMMISSIONER: You said August 25th and August 28th, I think you said.

15 THE WITNESS: Yes, I think those were the dates.

THE COMMISSIONER: That's what I think you said yesterday.

20 MR. ARMSTRONG:

Q. So you mean you only keep medical records of what you do in Canada or--

A. No, I keep medical records of what I do everywhere.

25 Q. Yes. So why--

THE COMMISSIONER: What I think he is saying is that if he gave steroids in St. Kitts, he would have a note of it in St. Kitts, but not in the record he had in Canada. Is that what you are saying?

5

THE WITNESS: Yes, sir.

MR. ARMSTRONG:

10

Q. Well, of course the medical record you did supply to us relates to your medical care of him in St. Kitts.

15

A. That is a medical record which was brought back when we literally ran from Seoul, and that's the record which I gave to my attorney at that time. That's when you requested the record. I didn't take any steroid records with me to Seoul because nobody was receiving any steroids in Seoul.

20

Q. All right, but you gave two shots, as you have just testified today and yesterday, to Ben Johnson in Toronto in August of 1988, and the record of that exists in your office in St. Kitts. Is that what you are saying?

25

A. It should be there, yes.

Q. And this medical record of Ben Johnson in 1988, which of course does not contain any reference to steroids, begins on May the 24th, 1988, and goes through

to September the 20th, 1988, in Seoul. It also contains an entry for the 13th of September, 1988, in Japan. Did you have this record with you then in Seoul?

5 A. I took all the medical records in Seoul from the people I had. I recall for Angella and Ben, there was a note on Desai because I gave Desai an injection in his foot. He had planterfasciitis. One on Mark. I gave Mark depo-medrol and xylocaine injection. One on Molly Killingbeck because I had to treat her knee
10 and one on -- I think the girl's name was Rosie Edeh who injured her knee too.

Q. Now when did you give this to Mr. Sookram?

A. When I came back and we arranged a
15 meeting with the College and he asked me to leave whatever I had with him.

Q. So you left with him whatever the record was you had taken with you to Seoul, which you say didn't include the steroid record?

20 A. No, it didn't.

Q. All right. Now I've spoken to my friend Mr. Futerman about these tests that I am going to ask Dr. Astaphan to comment on, and he has no objection to my indicating that I am looking at the certain test
25 results of Ben Johnson.

A. Yes.

Q. Here, Dr. Astaphan, are lab results of Ben Johnson taken over the years, apparently at your direction, and if we look at the lab results that were
5 done in August of 1988, the liver function result for SGOT is elevated to 61. Do you agree?

A. Yes.

Q. And we agreed yesterday that the normal range for Johnson is 7--or for an individual is 7 to 35,
10 correct?

A. That's right.

Q. And was it of any concern to you when those results of Ben Johnson were telephoned to you in Seoul indicating a considerably elevated liver function?

15 THE COMMISSIONER: What was the date of the test, please?

MR. ARMSTRONG:

Q. The date the test was done was August
20 the 31st. Let me see if I can see when the blood was taken for the tests. I presume, Dr. Astaphan, the blood taken for the test would have been taken the day before or the day of?

A. I don't know. I wasn't in Canada at
25 that time.

Q. All right. I don't--

THE COMMISSIONER: It usually says date of service.

5

MR. ARMSTRONG:

Q. The date of service is the 31st of August. In any event, we know that Johnson got back to Toronto on August the 23rd, so it would have been sometime between August the 23rd and August the 31st that he gave the blood for that test to be done, right?

10

A. Well, if it says the 39st, I would assume it was done on the 31st.

15

Q. All right. And did you have any concern in regard to Ben Johnson that his liver function was showing a reading well beyond the normal limits of 7 to 35?

20

THE COMMISSIONER: I thought he said yesterday he got them all called in from Canada. He knew the other ones.

THE WITNESS: No, I said the ones he showed me were called in.

25

THE COMMISSIONER: I see. Well, which ones

were called in? Were they all taken at the same time?

THE WITNESS: All from yesterday with the exception of one.

5

MR. ARMSTRONG:

Q. And the exception of one was what, Ben Johnson?

A. No, the exception of one was the one--

Q. Oh, it was 1985.

10

A. Was Steve Brisbois, yes.

THE COMMISSIONER: The one who was loaded-up, he said.

THE WITNESS: Right.

15

MR. ARMSTRONG:

Q. All right. So the ones that I showed you yesterday who were all 1988 tests, those were phoned to you in Seoul?

A. Exactly.

20

Q. Now was Johnson's test phoned to you in Seoul?

A. Yes.

Q. And in particular, you got this liver function reading of 61?

25

A. I think it was 67. 61 seems too low.

Q. It says 61.

A. Yes, I did.

Q. And did it cause you any concern that it was elevated to that level?

5 A. No, it didn't cause me any concern. It certainly made me go and look at him and see if anything adverse was happening, but I wasn't concerned because if you refer to the articles done on the effects of anabolic
10 steroids on the liver, you will see that within 14 days after receiving a shot, the liver function test will revert to normal and he had had--

THE COMMISSIONER: Wouldn't that indicate though a pretty high level of intake to have an elevation that high?

15 THE WITNESS: No, sir, not necessarily. Not necessarily.

THE COMMISSIONER: It's higher than any of the other ones we have seen. What was the one that overdosed? How high was that one that you said overdosed?

20 THE WITNESS: I didn't say overdosed.

THE COMMISSIONER: Overloaded I think was the word you used.

THE WITNESS: I said loaded up, sir.

25 THE COMMISSIONER: Loaded up. I'm sorry. I was inaccurate. Loaded up. It was 72, was it?

MR. ARMSTRONG: 72, yes. They use a slightly different range of normal, which is 5 to 40, so it seems that Ben Johnson isn't far off this fellow.

THE WITNESS: 61 to 72?

5 THE COMMISSIONER: No, but a different level.

THE WITNESS: You were concerned yesterday with a 37 value with a 35 upper limit.

10 MR. ARMSTRONG:

Q. We are not talking about that now, we are talking about Ben Johnson at 61.

A. And the other one is 72, isn't it?

15 THE COMMISSIONER: Yes, but I think the level, I think the norm for that other one was 7 to 40 or something.

MR. ARMSTRONG:

20 Q. The norm for the 72 level is 5 to 40, and the norm for Johnson is 7 to 35, and his reading is 61.

25

A. And my answer is no, I wasn't overly concerned.

Q. All right. And really, Dr. Astaphan, I suggest to you what was happening here was that you were
5 doing these lab tests to get a snapshot of where you were with the steroids, that you had loaded these people up in August, because you were concerned about whether or not you were going to beat the drug test in Seoul a couple of weeks later or three weeks later. That's what was
10 happening, isn't that so?

A. Are you asking me?

Q. I'm making that suggestion to you. I'm asking you to agree or disagree?

A. No, I disagree with you totally.

Q. All right. Well, you -- did you ever
15 do any follow-up with Ben Johnson on this elevated reading of 61?

A. Clinically, yes. I saw Ben every day and made clinical observations.

Q. When you got him back to Toronto, did
20 you have, for example, another lab test done of him to see whether or not the level of 61 had gone down to the normal range?

A. Mr. Armstrong, when we got back to
25 Toronto, as you're fully aware, you could hardly even get

outside of Ben's house because of the problems that we're having.

5 Q. Well, it's not too much trouble just sticking a needle in his arm and taking a bit of blood out of it and sending it off to a lab, is there?

A. I don't take blood from people. That was done by lab technicians.

Q. Well, you can take blood from people?

A. Oh, I can. But I've never done it.

10 Q. Well, in any event, I guess the fact of the matter is, you didn't do it. Let me ask you this, do the serum lipid levels that the Commissioner referred to yesterday, anabolic steroids can change the serum lipid levels, can they not?

15 A. Some.

Q. And, of course, changes in serum lipid levels can lead to such things as hardening of the arteries, correct?

A. Yes, that's one school of thought.

20 Q. Well, just so that we don't leave it there, whether or not it's one school of thought, it's an accepted and recognized school of thought?

A. I guess so.

Q. And ---

25 THE COMMISSIONER: Well, were you aware of

that, doctor, that it is now accepted that the steroids do increase this lipid level and could be -- cause future concerns for the cardiovascular system including heart attacks and strokes?

5 THE WITNESS: Mr. Dubin, as I said yesterday, if the printout on Furazabol, which I think was marked Exhibit 184 or something, is looked at quite closely, you would see that that is one of the steroids that the indication is high cholesterol and high/low
10 density, lack of proteins, and arterial sclerosis. That is the indications for the use of that drug.

 THE COMMISSIONER: Oh, I see. Go ahead.

 MR. ARMSTRONG:

15 Q. Well, in any event, did you, in respect of any of the athletes that you were involved with when they were on other steroids, have occasion, on a regular basis, to monitor their serum lipid levels?

 A. Yes, when necessary.

20 Q. But, I suggest to you, really very seldom, isn't that so?

 A. Between '86 and '88, of course. I was only here infrequently and very intermittently.

 Q. Prior to 1986, when you were dealing
25 with a number of these athletes because of the lab results

we've reviewed, I think we've only found two occasions in which you have measured serum lipid levels?

A. Well, I can't comment on that without the information in front of me.

5 Q. Now, just turning to another subject, away from -- well, I just wanted one more question in this area.

The liver function studies that show an elevated liver function, you've suggested that if an athlete is on steroids, that within 14 days of their
10 ceasing taking steroids the level will drop back to normal. Is that what I understand your evidence to be?

A. If that's what the literature says.

Q. But, in order, of course, to satisfy
15 yourself that that is the case, appropriate practice, I suggest to you, would be to have another study done just to make sure that, in fact, that results, is that not so? Wouldn't you agree?

A. If the opportunity arises, yes.

20 Q. All right. Now, did you ever tell an individual from Toronto by the name of Norman DaCosta that in May 1988 Ben Johnson bought stanozolol, or somebody bought it for him, and that he suffered violent muscle spasms and he was brought to you ---

25 MR. SOOKRAM: Excuse me.

MR. ARMSTRONG: -- and just let me finish the question -- and that he was brought to you and you nursed him back to top condition?

THE COMMISSIONER: Just a moment, please?
5 What's the problem, Mr. Sookram?

MR. SOOKRAM: We're coming back into the realm of newspaper reporting, sir.

THE COMMISSIONER: He's put the name -- he's put the name ---

10 MR. SOOKRAM: Yes.

THE COMMISSIONER: ---of the -- he's put the name of the person who he spoke to and asked he whether he told this to a person. Whether he's a newspaper man doesn't matter. He's not just reading a newspaper. He's
15 got the name of someone who he is putting to this witness as to whether he had this conversation with him.

MR. SOOKRAM: Does it mean, sir, that the ruling is that other newspapers, as long as they've got a name, other newspaper reports ---

20 THE COMMISSIONER: We'll see. Mr. Armstrong has a right to put to him what is purported to have been said by your witness -- by your client to somebody else.

MR. SOOKRAM: If he answers no, we accept the answer?

25 THE COMMISSIONER: Well, it depends how

relative it is and whether it's collateral or not. You know the rules. But, there's nothing wrong with his question. He's given a name, Mr. Sookram.

5 MR. SOOKRAM: I appreciate that, sir. What worried me is that the same thing happened at the College of Physician and Surgeons. Names were bandied about from newspapers.

10 THE COMMISSIONER: Well, we've been pretty careful here now, as you know. We've been very careful to limit the evidence to what I think is appropriate and relevant.

MR. SOOKRAM: I'm grateful, sir.

THE COMMISSIONER: Thank you.

15 MR. ARMSTRONG: Thank you, Mr. Commissioner. I just add to that, for your own comfort, sir, that what I'm taking is, I believe, to be reported as a quote of Dr. Astaphan.

THE COMMISSIONER: I understand. I assumed it was.

20 MR. ARMSTRONG: He can either accept it or otherwise.

THE COMMISSIONER: I assumed it was a quote. You better put it to him again.

MR. ARMSTRONG: It's not ---

25 THE COMMISSIONER: Put the quote again, if

you like, and identify the person who says it was said to him.

MR. ARMSTRONG:

5 Q. Apparently, in February of 1989, you
are reported of having spoken to a Norman DaCosta of the
Toronto Star and indicated that Ben Johnson bought
stanozolol, or somebody bought it for him, in Toronto and
the rest of this isn't a quote, it's a description from
10 the article, and that you're reported to have told the
reporter that he suffered violent muscle spasms and he was
brought to you and you nursed him back to top condition.

THE COMMISSIONER: February '89?

15 MR. ARMSTRONG: February 16th, 1989, is the
time of the report.

MR. ARMSTRONG:

 Q. The occurrence is alleged to have taken
place in May of 1988?

20 A. No.

 Q. All right. Now, Dr. Astaphan, I wanted
to ask you some questions about Winstrol, stanozolol,
Stromba, whatever this drug is. We've had some evidence
from Dave McKnight, who is one of your former patients,
25 that sometime in 1984 or later, you gave him some Winstrol

tablets. Do you agree with that?

A. Yes.

Q. And we've had evidence from Tony
Issajenko, a patient of yours for a brief time I think you
5 the mentioned the other day, that you gave him Winstrol
tablets in January 1985 and you, according to his
evidence, told him that you preferred Winstrol to
Dianabol. Do you agree with that evidence?

A. The first part.

10 Q. The first part being that you gave him
Winstrol tablets?

A. Yes.

Q. Did you tell him that you preferred
Winstrol to Dianabol?

15 A. No, we discussed the pros and cons. I
didn't tell him which one I preferred.

Q. And ---

THE COMMISSIONER: Well, you prescribed
Winstrol for him, thought, as a result of this --
20 following the discussion? You discussed Dianabol and
Winstrol and you came up with Winstrol, is that what
happened?

THE WITNESS: No, we discussed Dianabol and
Winstrol.

25 THE COMMISSIONER: Pardon?

THE WITNESS: Dianabol, not Anavar, and Winstrol.

THE COMMISSIONER: Not I said Dianabol, I think.

5 THE WITNESS: Oh, sorry.

THE COMMISSIONER: Dianabol and Winstrol and did you prescribe this drug by prescription or did you have the pills?

10 THE WITNESS: No, I had a bottle.

MR. ARMSTRONG:

Q. All right. Now, what -- are there certain advantages that Dianabol has over Winstrol and visa versa?

15 A. Yes. Dianabol tends to make them retain a little bit more fluid and, in some people, causes more of an acne break out.

Q. It's a little more severe then in its' effect, is it, than Winstrol?

20 A. No, I didn't say that.

THE COMMISSIONER: You said something about acne, was it? You said acne?

THE WITNESS: Yes, a little bit of acne.

25 MR. ARMSTRONG:

Q. So if you take Dianabol as compared with Winstrol generally, you tend to retain a little more fluid and it tends to be ---

THE COMMISSIONER: More prone to acne?

5

MR. ARMSTRONG:

Q. More prone to acne?

A. I said in some people, not generally.

Q. All right. Any other advantages that
10 Winstrol would have over Dianabol?

A. No.

Q. All right. And you must have discussed
then those pros and cons with Tony Issajenko and as a
result of your advice, he obviously decided that he would
15 prefer to take Winstrol and that's what he got in January
of 1985?

A. Tony was prone to having acne.

Q. All right. And most athletes, of
course, most people, generally, if you gave them a choice
20 between one drug or another, would want to, I assume,
avoid the side effect of acne? That would be reasonable?

A. They'd want to take the drug that had
the least side effects overall.

Q. Yes. And certainly, so far as any
25 athlete is concerned, they'd want to take the drug that

would result in your retaining the least fluid, correct?

A. They should.

Q. Yes. So, it's not surprising that as a result of advice that you were giving at the time that the athletes themselves would prefer Winstrol and indeed would
5 garner the impression that you preferred Winstrol, correct?

A. No.

Q. Then Mike Sokolowski has testified that
10 he received Winstrol tablets from you, he wasn't definite but he thinks it was 1985, and do you agree that you supplied Winstrol tablets to Mike Sokolowski ---

A. Yes.

Q. At least at some point?

15 A. Yes.

Q. And Mr. Francis has testified that when you introduced Estragol into the training regiment in the fall of 1985, that you also used Winstrol as a stacking agent at the beginning of the cycle, particularly for Ben
20 Johnson, is that so?

A. We tried it on all of the athletes who were receiving Estragol.

Q. Yes. And so you did use in the spring -- or, sorry, in the fall of 1985, Winstrol as a
25 stacking agent?

A. Yes.

Q. And indeed, we have -- and the stacking agent that was used in -- it was used in the form of tablets as opposed to injectable Winstrol?

5 A. Yes.

Q. All right. And, of course, we've heard the evidence and I suppose you would confirm it that Ben Johnson, in particular, and also Angella Issajenko, found that they would tighten up after a period of time from, they believed, taking the Winstrol?

10

A. I think Ben tightened up on the fifth day. He got real severe cramps and I -- Angella had some side effects but I don't remember.

THE COMMISSIONER: That was the time when they were taking both the Estragol and the stacking with Winstrol tablets?

15

THE WITNESS: Yes, sir.

MR. ARMSTRONG:

Q. All right. And then in the spring of 1987 ---

20

THE COMMISSIONER: But it was, at this stage, that you had already introduced Estragol with Angella and then when we're -- at this stage we're talking about, Estragol plus the Winstrol tablets.

25

THE WITNESS: Yes?

THE COMMISSIONER: It was the combination which made them tighten up?

5 THE WITNESS: Subsequently, we found out it was the Winstrol tablets that tightened them up.

THE COMMISSIONER: The tablets, I see.

MR. ARMSTRONG:

10 Q. And then we have some evidence also from Mr. Francis, Dr. Astaphan, that in the spring of 1987, Ben Johnson went on a regime of Winstrol tablets, I believe it was tablets, for a ten-day period and that he believes, that is Francis believes, these were the Winstrols tablets that you had given Ben Johnson sometime
15 before. Do you know anything about that?

A. About what part of that statement?

THE COMMISSIONER: Well, I'm sorry. We established -- did he give Mr. Johnson Winstrol tablets, a bottle? I don't know whether we've had that or not?

20 MR. ARMSTRONG: Well, I agree the question was a little convoluted. Perhaps I'll break it down.

MR. ARMSTRONG:

25 Q. Did you, at some point, give Ben Johnson Winstrol tablets?

A. I told you yesterday I gave him ten tablets.

Q. I don't recall you having said ten tablets?

5 A. It's in the notes. I gave him ten tablets to take one a day for ten days and after five days he had to quit, he was cramping up and that was in the fall of '85.

10 THE COMMISSIONER: Would you ever have given him a bottle of the pills?

THE WITNESS: No, sir, no.

MR. ARMSTRONG:

15 Q. When you say it was in the notes, what notes are you talking about?

A. Whatever I said yesterday, the -- what the lady....

Q. Oh, the transcript. I see.

20 THE COMMISSIONER: I don't recall the ten tablets. I remember you said you gave him some, but we'll check it. Nothing turns on it.

MR. ARMSTRONG: Well, in any event -- I'm sorry?

THE COMMISSIONER: No, go ahead.

25

MR. ARMSTRONG:

Q. In any event, Dr. Astaphan, in the spring of 1987, Charlie Francis that says that once again for a scheduled ten-day period Ben Johnson went back on Winstrol and the supply of Winstrol he used at that time was, he believed, from the original supply given to him by you and is it possible that your recollection is faulty and that you gave him a bottle of Winstrol tablets back in the fall of 1985?

10 A. No.

Q. Then, did you, as a matter of course, keep Winstrol V tablets in your office?

A. No.

Q. Never at any time?

15 A. Oh, I had them there on occasion when I had ordered them to ship them down to St. Kitts to Mr. Hyatt but I never kept them there to give out to anybody.

20

25

Q. Did you ever tell Charlie Francis that you had Winstrol-V?

A. No. I would have told him I had Winstrol.

5 Q. All right. I just want to read you the evidence of Mr. Francis in this Inquiry on March the 2nd. He was asked these questions.

10 "Q. All right. And to your knowledge, did Dr. Astaphan ever have in his possession a drug called Winstrol-V?

A. Yes, I believe he did.

Q. And what do you know about that?

A. I believe some athletes involved with throwing events have used it.

15 Q. And when you said you believe that he did have Winstrol-V in his possession, is that something you saw at his office or something that he told you?

20 A. Something that our athletes mentioned and he also mentioned it."

Now, the inference I draw from that, and I suggest to you, is that you had Winstrol-V tablets in your office, that athletes were aware of it, you told the athletes that, and, indeed, told Charlie Francis that?

25 MR. SOOKRAM: Excuse me.

THE COMMISSIONER: Yes.

MR. SOOKRAM: I can't see the relevance of the point. It has already been established that there is no difference between Winstrol and Winstrol-V in tablet form. Where are we going with this line of questioning?

THE COMMISSIONER: Well, he is asking the Doctor. The Doctor said he never had any in his office, as I understand it.

MR. SOOKRAM: The Doctor did say he had them in his office.

THE COMMISSIONER: Only for reshipment.

MR. SOOKRAM: Yes, sir.

THE COMMISSIONER: I think there is nothing wrong with it, because we have gone through this. Mr. Bethune said that he saw a bottle of Winstrol-V tablets that the Doctor had thrown this the garbage pail.

MR. SOOKRAM: Yes, we appreciate that, sir.

THE COMMISSIONER: I am not sure how Mr. Bethune would know of that unless it so happened that the Doctor did have Winstrol-V tablets in his office. I think it's relevant to that.

MR. ARMSTRONG:

Q. Well, did you have Winstrol-V tablets in your office?

A. I told you I did.

Q. Yes. And did you have them there for more than simply making them available to Mr. Hyatt in St. Kitts?

5 A. No.

Q. That's the only reason they were there?

A. That's right.

Q. Never gave them to any of your patients or athletes?

10 A. No, not Winstrol-V tablets.

MR. ARMSTRONG: All right. Could I, Mr. Commissioner, ask the Registrar to provide us with Exhibit 153, which is the Sterling Drug group of invoices.

THE REGISTRAR: 53 or 63?

15 MR. ARMSTRONG: 153, sorry. Could I have Exhibit 154 while you are at it.

MR. ARMSTRONG:

20 Q. I am just going to put, Dr. Astaphan, Exhibit 153 in front of you. These are a series of invoices that show purchases made by you of both Winstrol-V tablets in the period from -- sorry, I have trouble -- from June the 26th, 1985 to November the 11th, 1985. And then injectable Winstrol-V from November 11th, 25 1985 through to December the 10th, 1987.

Did you order and take delivery of the drugs shown in these invoices?

5 In fairness to you, Dr. Astaphan, I think there is at least one of these orders in which delivery was not taken?

A. Yes, that's -- all with the exception of the one dated the 26th of August, '86, I think.

Q. The 26th of August. Which one is that? Can you show it to me, please.

10 A. This one. I was no longer at that office. This one here. I don't think I was at that office at that time. That's when I sold the practice --

Q. Well, I don't think you were, but then what happened was you subsequently made arrangements for these drugs to be delivered to an address at 70 Dunfield --

A. That's right.

Q. -- apartment 1012. Is that not so?

A. That's correct.

20 THE COMMISSIONER: I am sorry, I have lost track of what you are doing, Mr. Armstrong.

MR. ARMSTRONG: I am just trying to get Dr. Astaphan to confirm that he ordered --

25 THE COMMISSIONER: Through each one of these sheets?

MR. ARMSTRONG: That he ordered and took delivery of the Winstrol-V drugs that are shown on Exhibit 153.

THE COMMISSIONER: And they start when?

5 MR. ARMSTRONG: They start in --

THE COMMISSIONER: In '85.

MR. ARMSTRONG: -- so far as the tablets are concerned on June the 26th, 1985, running to November the 11th, 1985. And so far as the injectables are
10 concerned from November 11, 1985, to December the 10th, 1987.

THE COMMISSIONER: Which was the one that was ordered that had to be there at a certain time? Was that from --

15 MR. ARMSTRONG: That is November the 28th, 1986. I am just going to deal with that in a moment.

THE COMMISSIONER: All right. Fine, thank you. I am sorry, have these been identified now by the Doctor?

20 MR. ARMSTRONG: Yes.

MR. ARMSTRONG:

Q. Do you see one there, Dr. Astaphan, that says November 28, 1986, courier rush needs Friday at
25 the latest?

A. Yes.

Q. And that was -- why did you need that Friday at the latest?

5 A. Because they were closed on Saturday and Sunday and I was leaving Canada at 7 o'clock on Monday morning.

Q. You were going back to --

A. Back to St. Kitts.

10 Q. -- to St. Kitts. And the evidence in this Inquiry is that there was a training camp, and, indeed, you have confirmed that there was a training camp beginning on December 1st, 1986 in St. Kitts, right?

A. Yes.

15 Q. And I suggest to you why you needed this in such a hurry was you needed it to take back to have available for the training camp in St. Kitts. Right?

A. No, wrong.

Q. Wrong, okay. Then indeed, Dr. Astaphan --

20 THE COMMISSIONER: I am sorry, what was the urgency, then?

THE WITNESS: I was going back. I was living there at that time, I was taking them back --

25 THE COMMISSIONER: I know that, but you could have them ship it to St. Kitts, couldn't you?

THE WITNESS: No, because I don't think they will ship out of the country. In order to import medication into those islands, you have to go through a licencing process.

5 THE COMMISSIONER: So, it was just a coincidence then that the urgency was so close to the date of the training camp opening at St. Kitts?

THE WITNESS: It looks like a coincidence. Mr. Hyatt asked me to bring back some supplies for him,
10 and I ordered it.

THE COMMISSIONER: Of the tablets too, the Winstrol-V tablets?

THE WITNESS: Yes, whatever was in that, whatever he asked me for I ordered.

15 THE COMMISSIONER: We will come to that. Go ahead.

MR. ARMSTRONG:

Q. Well, is it your evidence then that
20 these 68 vials of injectable, and that's what they total up to, and the 65 bottles of pills in this approximately two-year period were all for Mr. Hyatt?

A. Yes.

Q. They were all for Mr. Hyatt in order to
25 fatten up his animals to sell to the locals and the

veterinary college?

A. Yes. And for -- he was involved with some friends of his in race horses and I suspect they used them on the race horses.

5 THE COMMISSIONER: Well, what troubles me about that is the tablets are for cats and small dogs.

THE WITNESS: I don't know. I don't know.

THE COMMISSIONER: Pardon?

10 THE WITNESS: Mr. Dubin, he asked me to get the tablets.

THE COMMISSIONER: No, you said for cattle and horses?

THE WITNESS: Who is that?

15 THE COMMISSIONER: Your friend, Hyatt, whatever his name is?

THE WITNESS: Did I say for cattle and horses?

THE COMMISSIONER: Well, you said, you just told me. What was he doing, he had cattle and horses?

20 THE WITNESS: No, no, no, I made an addition to Mr. Armstrong's statement that he was involved with some friends of his in race horses.

THE COMMISSIONER: Yes. What do the tablets got to do with horses?

25 THE WITNESS: I don't know what he did

with the tablets, whether he gave them to chickens or mongoose, or what, I don't know what.

THE COMMISSIONER: No, it just says for cats and small dogs?

5 THE WITNESS: Well, then he must have given them to cats and small dogs or whatever he got --

THE COMMISSIONER: We didn't hear anything about having cats and small dogs. He talked about horses and cattle, I guess.

10 THE WITNESS: He ran a farm.

THE COMMISSIONER: Well, Doctor, just a moment. You knew what Winstrol-V tablets were for.

THE WITNESS: For cats and dogs.

15 THE COMMISSIONER: Well, you bought them yourself, you had them in your office?

THE WITNESS: Yes, I was never interested in Winstrol-V tablets or any tablets for cats and dogs. I am not a vet. He was involved with a vet school. As a matter of fact, I think he must have married one of them.

20 THE COMMISSIONER: But you had them there, would you not -- you ordered them?

THE WITNESS: Yes.

THE COMMISSIONER: And you didn't know what you were ordering?

25 THE WITNESS: Yes, I knew I was ordering

Winstrol-V tablets and injectables to ship or take to Don Hyatt. I knew he --

THE COMMISSIONER: You knew they were for veterinary purposes, though, were you?

5 THE WITNESS: I beg your pardon.

THE COMMISSIONER: You were aware this was for veterinary purposes?

THE WITNESS: He was using them for veterinary purposes.

10 THE COMMISSIONER: Mr. Bethune says he saw this type of bottle in your office after you had given him some pills. And how would he know that unless he saw the bottles there if you had them? I just don't understand that?

15 THE WITNESS: I said to Mr. Armstrong that on occasion I had the supplies in my office.

THE COMMISSIONER: No, he claimed that he asked -- he asked what he was getting and that you gave him these pills. These are pink pills, aren't they?

20 THE WITNESS: Yes. Well, sort of pinky-mauve.

THE COMMISSIONER: Well, they are the same color as the Winstrol tablets. I looked at them. As a matter of fact they are the same tablet?

25 THE WITNESS: Except one is Winstrol-V.

THE COMMISSIONER: Yes. It is labeled
that --

THE WITNESS: Right.

THE COMMISSIONER: But he said you gave him
5 tablets, and he finally asked what they were, and he
looked in your waste cabinet and there was a bottle of
Winstrol-V. And he noticed it says "For Veterinary Use
Only" and that's what it says. It was empty at that time,
he said, the bottle.

10 So, he must have -- he is making that entire
story up? Is that it?

You see what worries me is you actually had
these bottles in your office and he says he saw them
there?

15 THE WITNESS: Sure. If I had them in my
office storing to take to Don, you can see them there.

THE COMMISSIONER: You say all these were
for Mr. Hyatt?

THE WITNESS: Exactly.

20 THE COMMISSIONER: I see. And you didn't
know what they were for, though?

THE WITNESS: Pardon?

THE COMMISSIONER: You didn't know why he
wanted them?

25 THE WITNESS: He didn't know why he

wanted them?

THE COMMISSIONER: You didn't know why he wanted them?

5 THE WITNESS: He told me they were to treat his animals.

THE COMMISSIONER: For fattening up?

THE WITNESS: I don't know what he was going to do with them. They were his animals.

10 THE COMMISSIONER: On occasion would he order Winstrol-V and then order Winstrol-V injectable?

THE WITNESS: Yes, he usually ordered both. Whatever he was -- he was running short on or was out of, he would phone or whenever I was home, he would tell me he needs A, he needs B.

15 THE COMMISSIONER: Would you take them down with you or would you ship them down??

20 THE WITNESS: I was take them down when I was going down. And if I wasn't going down, I would find out who was going to St. Kitts and send it with them. There are a lot vacationeers coming up here on short holidays and returning home.

THE COMMISSIONER: I see. So, all this material just came to your office, I guess it was never opened, and merely kept for forwarding on to St. Kitts?

25 THE WITNESS: Yes.

THE COMMISSIONER: Thank you. All right.

MR. ARMSTRONG:

5 Q. The drug company that you ordered these
drugs from, Dr. Astaphan, has provided to this Inquiry a
note made by their salesman that says, and I will just put
it in front of you, it is Exhibit 154.

10 And it says "Dr. Astaphan is a human doctor
who purchased Stanozolol for " -- sorry, Strol which is
short form for Winstrol -- "for his brother-in-law last
year... " And the note goes on.

Did you tell somebody from Sterling Drugs
that you were purchasing the Winstrol for your
brother-in-law?

15 A. No. I have never spoken to anybody at
Sterling Drugs except the lady at the order desk.

MR. ARMSTRONG: Could I have exhibit 117A,
please.

20 THE COMMISSIONER: Perhaps this would be a
good time to have a break.

MR. ARMSTRONG: All right.

THE COMMISSIONER: We will take a short
break this morning.

25 --- Short recess.

-- Upon resuming.

THE COMMISSIONER: Mr. Armstrong.

MR. ARMSTRONG: Yes, thank you, Mr.

5 Commissioner.

MR. ARMSTRONG:

Q. Now, Dr. Astaphan, the going back to
recap where we have been on the Estragol.

10 You have told us, as has Mr. Francis and
others, that you obtained the original supply, and you
have now told us that the original supply came from an
East German athlete in the summer, you believe, June or
July, and I think in fairness you said June of '85, 48
15 bottles in return for 144 bottles of the Inosince-B-12
mixture.

And you, if I can put it that way, were the
keeper of the supply or kept that supply until the -- what
was it, summer or fall of 1986?

20 A. Fall.

Q. Fall of 1986?

A. Yes.

Q. And at that time when you moved to St.
Kitts, as I understand it, we have heard from Mr. Francis
25 and you have confirmed it, that you passed on a number of

bottles of both the Estragol and the Inosine-vitamin B mixture to him because you were going back to St. Kitts?

A. That's right.

Q. And you know, of course, we have had it
5 in evidence here, and I think you have been aware, that Mr. Francis kept the bottles in his apartment for a period of time up until about February of 1988 when he gave virtually all of them to Angella Issajenko, perhaps keeping one in his own apartment for whatever use he
10 needed in respect of injecting athletes. But, in any event, you were aware I take it that the bottles were transferred out of the Mr. Francis' apartment to Angella Issajenko?

A. Yes, I became aware of that later on in
15 the year.

Q. All right. And we, in November of 1988, obtained 12 of these bottles from Ms. Issajenko, the bottles that she said she had obtained from Charlie Francis which he said he had obtained from you. And we
20 have, as I am sure you are aware, have had them analyzed. And they indicate that they are Stanozolol. Are you aware of that?

A. That the bottles which you obtained were analyzed as having Stanozolol?

Q. Yes?

A. Yes.

Q. And, indeed, we had the advantage of a further analysis done on a sampling of the bottles that we received. And we had five of those bottles compared with Winstrol-V injectable, and they were found not only to contain Stanozolol, as we already knew, but they were found to indicate the presence of the same components as Winstrol-V injectable.

Were you aware of that evidence?

A. Yes.

Q. And that really has to lead to the conclusion that really for whatever reason, the original supply of 48 bottles which you got in 1985 must have been Winstrol-V injectable, don't you agree?

A. No.

Q. Why not?

A. I don't. I don't agree.

Q. Well, you have said that it was Furazabol?

A. Yes.

Q. And you never had the Furazabol analyzed?

A. No.

Q. And is it not possible that this East German athlete in fact provided you with Winstrol-V, which

he told you was Furazabol?

A. No.

Q. Why not?

5 A. Because many reasons. Two very
important ones were, one, under the Furazabol program
which they were on, they were running increasingly fast
times and not having nowhere near as much
muscular-skeletal problems such as tightening as they had
when they were taking five Winstrol tablets.

10 THE COMMISSIONER: Well, Doctor, the
evidence is that when you went back -- when did you first
purchase Winstrol-V injectable? Is that --

THE WITNESS: April 1985, the 12th of April.

15 THE COMMISSIONER: No, from the lab,
Winstrol-V.

THE WITNESS: Yes, the 12th of April, 1985.

THE COMMISSIONER: Is that the first?

THE WITNESS: At least that's the first
receipt they have there, the first invoice.

20 THE COMMISSIONER: The injectable, not the
pills.

MR. ARMSTRONG: The injectable, your first
purchase was November the 11th, 1985.

THE WITNESS: Can I see those things?

25 MR. ARMSTRONG: Yes.

THE COMMISSIONER: And that's when the
Estragol program was introduced, we heard, in the fall of
'85.

THE WITNESS: The 12 of April, 1985.

5

MR. ARMSTRONG: I think --

10

15

20

25

THE COMMISSIONER: In any event, what Mr. Francis has said, and you agree with that, when you left, gave up your practice, you supplied--you gave him your supply?

5 THE WITNESS: Most of it.

THE COMMISSIONER: Of what you thought was Estragol?

THE WITNESS: Yes.

10 THE COMMISSIONER: And indeed that was what his athletes were being injected with, what you had left him with because he used to carry out the injections and Mrs. Issajenko was doing her own. He gave her the supply, from her own supply, did you not?

THE WITNESS: No, Charlie got them all.

15 THE COMMISSIONER: Charlie got them all. And you handed them over to him. He was using it?

THE WITNESS: I assume so.

THE COMMISSIONER: And Ms. Issajenko was using it?

20 THE WITNESS: I assume so.

THE COMMISSIONER: And we now have what they were using and what the athletes were getting injected with, and we have had it tested. Whether you are aware of it or not, it's clear that this substance is
25 stanozolol and has the same ingredients as Winstrol V

injectable.

Every athlete has told us what they were getting from the supply so that I can't understand at the moment so that whatever side effects you thought they may
5 get or tightening, they were getting it anyway. They were using this very drug. They were being injected with it since '85.

A. I don't agree, sir.

THE COMMISSIONER: All right. Well, are
10 you saying the test here is wrong, that our testing isn't right?

THE WITNESS: No, I'm not insinuating any such thing at all. I'm insinuating that what they got from me was Furazabol.

15 MR. ARMSTRONG: All right. I didn't mean to interrupt.

THE COMMISSIONER: Go ahead.

MR. ARMSTRONG:

20 Q. Dr. Astaphan, let's just take that though. You got 48 bottles of Furazabol, you say, and you then ultimately gave a number of the bottles from that same supply to Mr. Francis who in turn gave the balance of what he had left to Angella Issajenko. She gave just 12
25 of the bottles from the original supply.

They all test out as stanozolol and containing the same components, indicating the presence of the same components as are in Winstrol V. So the overwhelming inference to be drawn from that is that what
5 you got originally from whomever you got it was you got stanozolol and probably stanozolol in the form of Winstrol V; isn't that so?

A. No.

THE COMMISSIONER: All right.

10

MR. ARMSTRONG:

Q. All right. And when you did all of the research and study into this drug Miotolon or Furazabol before you ever used it on the athletes, did you check any
15 information at all from the Daiichi Company in Japan?

A. No, I checked--

THE COMMISSIONER: I think you said it was manufactured by Daiichi.

20

THE WITNESS: Yes, sir. I checked literature, research literature coming out of Japan. I checked information coming from athletes and trainers who had knowledge of it, and I checked with some of the Canadian publications.

25

MR. ARMSTRONG:

Q. All right, and if you had checked information at that time, Dr. Astaphan, from the Daiichi Company, one of the things you might have found out was that the Daiichi company in 1985 did not and has not since produced an injectable Furazabol or Miotolon. Did you know that?

A. No.

Q. Does that information that I provide to you suggest that maybe what you got was stanozolol in the form of Winstrol V rather than Furazabol?

A. No.

Q. All right. Then I just wanted to refresh your memory and draw to your attention a couple of statements that you made on September the 28th, 1988, on national television in Canada, and would you just listen carefully. I've got a transcript, and I believe I have supplied to you through your counsel a copy of this transcript.

On September the 28th on national television, you were asked by Barbara Frum:

"Did you ever prescribe anabolic steroids for him," meaning Ben Johnson, and your response was to Ben, "No, no, he I think you know there is a misunderstanding between anabolic and cortico steroids. When Ben was

5 injured in May and he came to St. Kitts,
what I suspect these two unnamed sources,
that's the two unnamed sources from the
Sports Illustrated article, are quoting is
that Ben was on cortico steroids which are
anti-inflammatory and anti-analgesics given
in the musculo-skeletal injuries of that
type" and so on.

10 Then further on in the course of that interview, Dr.
Astaphan, on national television, you were asked this
question by Barbara Frum:

"Has he ever asked you directly, that is Ben
Johnson, point blank, Dr. Astaphan, did you
ever give me anabolic steroids? No.
15 Mrs. Frum: Did you ever give me stanozolol?
He has never asked you? No. Point blank,
and if he did, if I asked now for him, if I
give him stanozolol, the answer is no, I
never did, never have and I never will."

20 That's what you said on that occasion. And then Mrs. Frum
says,

"Did you give him ever any anabolic steroids
ever, ever? Dr. Astaphan: Not Ben, no, he
doesn't need it.

25 Barbara Frum: Would you testify under oath

to that effect?

Dr. Astaphan: Yes."

Of course we know that you have testified under oath quite differently, and I take it you agree that what you said to Barbara Frum on September 28th, 1988, was not true?

A. That's right.

Q. And is the testimony that you have given us here in the last two and a half days true, Dr. Astaphan?

A. That's correct.

Q. And does that include your evidence in regard to the receipt and supply of the Estragol to your athletes?

A. Yes.

Q. Those are all the questions I have, Mr. Commissioner. Thank you, Dr. Astaphan.

THE COMMISSIONER: I think, Mr. Sookram, you agreed that Mr. McMurtry can proceed you today.

MR. SOOKRAM: Yes, sir.

THE COMMISSIONER: Mr. McMurtry.

MR. McMURTRY: Thank you, Mr. Commissioner.

THE COMMISSIONER: I don't want any ground covered that Mr. Armstrong has already covered.

EXAMINATION BY MR. McMURTRY:

5 Q. Mr. Commissioner, there will be some questions, not lengthy questions. It may just expand on two or three that the subjects--that Mr. Armstrong did cover.

THE COMMISSIONER: Well for clarification only, not repetition.

MR. McMURTRY: Yes, that's correct.

10 Q. Well, first of all, Dr. Astaphan, in relation to this matter whether the steroids, the anabolic steroids that you left with Charlie Francis you thought were Furazabol?

A. Yes.

15 Q. And I put it to you there would be absolutely no rational purpose for Charlie Francis to substitute those anabolic steroids with any other anabolic steroids as far as you could think of?

A. No, not at all.

20 Q. It just wouldn't make any sense at all?

A. No, sir.

25 Q. Now, Dr. Astaphan, I would just like to ask you a few questions with respect to your relationship with Mr. Ben Johnson. You, of course, have already said you were his physician for some five years?

A. Yes.

Q. And would have had occasion to be with him on almost hundreds of occasions over that period of time?

5

A. Yes.

Q. And is it fair to describe your relationship with Mr. Johnson during that period of time at least as a very close one?

A. I think so.

10

Q. I mean, you were his physician but you were also a confidante of his?

A. Yes, as close as one can get.

15

Q. Yes. And as a matter of fact, Mr. Johnson must have had some confidence in you from the early stages of your relationship because he discussed with you his anabolic steroid use since 1981?

A. Yes, sir.

Q. And you've told us that he gave you the particulars of the steroids that he was using?

20

A. Yes.

Q. And the effect that the steroids had had on him?

A. Yes.

25

Q. And did you have any difficulty? Did you ever find that you had any difficulty in making

yourself understood with Mr. Johnson?

A. No, sir.

Q. And I suppose some of your conversation
might be in what sometimes is described as the West Indian
5 patois?

A. Yes, or Pig English.

Q. And did you ever in all the times, in
all the very lengthy relationship with Mr. Johnson, did
you ever have any, do you ever recall any significant
10 incidents where you were not understanding one another?

A. You mean understanding the spoken word?

Q. Anything you might have said that you
learned that he was confused by?

A. Not verbally, no. Not what was said.
15 He could understand me quite clearly.

Q. And Mr. Johnson has been described by
other witnesses as somebody with a good sense of humour?

A. Yes.

Q. And I think these witnesses also left
20 the impression that he was really quite quick-witted?

A. Very quick-witted.

Q. And your relationship with Mr. Francis
was a good working relationship?

A. Extremely good.

Q. And you trusted each other?
25

A. Yes, sir.

Q. And you felt that that trust extended in both directions with respect to Mr. Johnson?

A. Yes.

5 Q. And you've told us that Mr. Johnson indeed was even very inquisitive about the properties of anabolic steroids?

A. Yes, he spoke and questioned about them frequently.

10 Q. And during this period of five years, we have heard that fundamental to your communication, of fundamental importance to your communication, I should say, would be the necessity for there to be a very clear understanding about clearance times?

15 A. Yes.

Q. And this was a matter that was discussed on a number of occasions?

A. On many occasions.

20 Q. And you've told us that you personally injected Ben some 50 or 60 times with anabolic steroids?

A. No, on 50 or 60 times I gave him injections; sometimes with anabolic, sometimes with a vitamin mixture.

25 Q. I see. Did Mr. Johnson use any--did he have any particular favourite slang word for anabolic

steroids?

A. Shit.

Q. And was there any question in your mind
as to what he was referring to when he spoke of anabolic
steroids?

A. Absolutely not.

Q. It has been suggested during the course
of these hearings that Mr. Johnson might have difficulty
with such personal matters as arranging aircraft flights
and matters of that kind.

A. Not with the mechanics of arranging
flights, no.

Q. Yes. I'm not sure what you mean.

A. He was quite capable of arranging
flights, you know, knowing when to go. It's just that he
might get there late. I might expect the plane to be held
for him.

Q. Yes. In your evidence to us a little
earlier, I guess it was in your conversation with Charlie
Francis that you recorded that you used the words about so
far as the injections of anabolic steroids were concerned,
that you said something to the effect that what he
remembers or wants to remember indicating there was some
confusion?

A. Well, he was confusing both Charlie and

myself. Ben will remember what he wanted to when he wanted to. If you asked him a question and he didn't want to answer you, you got no answer.

Q. What do you mean by what he wants to remember?

A. Well, if he thought it was an appropriate time to answer, if it wasn't interfering with his schedule or something, he would answer you. Otherwise he would just go like this and walk off.

THE COMMISSIONER: Shrugged his shoulders?

THE WITNESS: Yes, sir.

MR. McMURTRY:

Q. Was there any change in the relationship between you and Mr. Ben Johnson after the world record was set by him in Rome in August of 1987?

A. No.

Q. So the relationship remained as close as it had been prior to that time?

A. Yes.

Q. No problems in communication following that historic event?

A. Well, only with respect to the fact that his--and I don't mean to say anything malicious or bad about anybody, but Ben had gone after that from

marching to his own drummer, to become his own drummer.

Q. What do you mean by that?

A. Well, everybody sort of adjusted their schedules, et cetera, to fit in with Ben's because of who Ben was, but then after the world championships and when every organization, the CTFA included, and everybody started literally bending a little bit, bending a lot, and it came to the stage where he expected it. He expected everybody to adjust to his schedule.

Q. Well, did this have any effect on the communication between you and Mr. Johnson with respect to the importance of keeping straight in his mind clearance times and matters that would be very important to his performance?

A. No, we explained and he understood what he should take and when he shouldn't take it.

Q. Now the only other question I wanted to ask you with respect to Mr. Johnson and anabolic steroids directly is, Doctor, given your relationship with Ben Johnson, the extent of your relationship, is there any question in your mind as to his ability to appreciate or understand the nature of the drugs that were being administered?

A. No, no question at all.

Q. Or which were banned drugs or which

were not banned drugs?

A. No question at all.

Q. Now, Dr. Astaphan, I wanted to ask you just very briefly about your relationship with Jack Scott. You learned, I guess by accident, in St. Kitts that Mr. Scott was a trainer for Carl Lewis?

A. Yes, sir.

Q. And knowing that Mr. Lewis was really Ben Johnson's most major significant opponent on the world athletic stage, would not that knowledge have been of great interest to you?

A. It certainly was.

Q. And I'm just curious as to why you did not share that knowledge with Charlie Francis when you first learned it? For example, I think you were together at the Ottawa national championships after that.

A. No, actually I told Charlie when I got to Ottawa because Charlie's first question to me when we got to the track, myself, my son and Ben, Charlie said, "What's that asshole doing here?" I said, "Who do you mean?" He said, "Jack Scott". I didn't even know Scott was here, and he somehow had got himself accredited to go to the Canadian national meet to set up a physiotherapy tent.

Q. Well, you were concerned with his

presence, given the rivalry between Mr. Johnson and Mr. Lewis?

A. Yes, sir, very much.

Q. I think Mr. Francis told us that you
5 didn't tell him actually until you were in Italy following the national championships, but you think his memory is incorrect in that?

A. No, I told him in Ottawa because as a
matter of fact, I think Larry Heidebrecht might have
10 mentioned it before, but when he showed up in Sestriere, Italy where we had gone to with a meet with the East Germans, the Italians, the Americans, and I think--I don't remember the other team, what I did say was that Jack
15 Scott's here with Carl Lewis and he is, you know, right in with the camp again.

Q. So this--

THE COMMISSIONER: That was in Italy?

THE WITNESS: In Sestriere, Italy.

20 MR. McMURTRY:

Q. I see. So it would be a matter of some
concern to you?

A. It was very much of a concern to me.

Q. Now, Dr. Astaphan, with respect to
25 your--when you first became aware of or knowledgeable

about steroids, I think you've told us that you were an amateur powerlifter?

A. Yes.

5 Q. And did you use steroids yourself as an amateur powerlifter?

A. No, sir. I was an amateur powerlifter in the mid-sixties and decreasingly up to '70, early-seventies, but there was a lot of talk going around about it, but at that time I had no interest in it.

10 Q. But you heard talk while you were performing as an amateur powerlifter?

A. Yes.

15 Q. I think you told us earlier that you were familiar with articles, as you put it, writings about anabolic steroids as a performance-enhancing drug since 1960 or close there to?

20 A. No, what I said was that in 1983 when the Mazda, or at that time the Scarborough Optimist team, came to me to familiarize myself with anabolic steroids in athletics, I got a hold of articles going to, I think, 1961 or '62.

THE COMMISSIONER: I think you told us that it wasn't until Ms. Issajenko gave you Dr. Kerr's book that you began to study --

25 THE WITNESS: That's right.

THE COMMISSIONER: That's when you went back to earlier literature?

THE WITNESS: Yes, the literature went back -- I think the first article I got a hold of was 1961 by Winthrop.

MR. McMURTRY:

Q. And you've known Dr. De Pasquale for some years?

A. 22.

Q. And I think you've described Dr. Mario De Pasquale as one of the most knowledgeable people in Canada about anabolic steroids, in your opinion?

A. One of the most knowledgeable people that I know anywhere.

Q. Anywhere. One of the most knowledgeable people in the world?

A. Yes.

Q. And you've known him for 22 years?

A. Yes, 22 years this year.

Q. Would you not have had many discussions with Dr. De Pasquale, given his interest in anabolic steroids during that period of time?

A. No, I think he got interested in anabolic steroids when he started going on world

championship lifting tours in the mid-seventies.

THE COMMISSIONER: When was that?

THE WITNESS: I think it was in the
mid-seventies.

5 THE COMMISSIONER: Thank you.

MR. McMURTRY:

Q. And he was an international
powerlifter?

10 A. I think he holds the world championship
in three or four classes.

Q. I see. And so you started to have
discussions with him about anabolic steroids in the
mid-seventies then?

15 A. On and off, whenever it was brought up
or whenever he came back from a meet, he would say this is
what they are talking about, but nothing very intensive or
serious.

20 Q. In any event, by the time you had a
discussion with Angella Issajenko after her return from
California in her meeting with Dr. Kerr, you at least had
a good deal of background information with respect to
anabolic steroids?

25 A. Not really. I knew names, but I didn't
know anything about the names. I had no interest in

looking further into what was behind the names of--that were being cast around.

Q. Well, at that time was it your belief that they were very universally employed as performance-enhancing drugs?

A. At which time, sir?

Q. Well, when you were chatting with Angella Issajenko after her return from California.

A. Not right at that time because at that time I thought it was still mainly with the weightlifters and that body building type. I actually had no inkling that it was at that time widespread in other sports.

Q. But you subsequently learned that it was?

A. Oh, very shortly thereafter after making some phone calls.

Q. Yes. I understand--well, I'm not sure. I can't state with obviously any real knowledge as to what witnesses may be called, but I'm interested in what you have to say about Dr. Kerr.

A. Yes.

Q. And his book. You seem to have some difficulty with his book. I think you described it as simply a recipe book for steroids.

A. Yeah, well, I looked at the book and I

phoned a couple of people who at that time were much more knowledgeable, and their opinion was that the book was sort of a token gift. Just you go and visit Dr. Kerr and he gives you a book.

5 Q. Well, have you read the book in more recent years?

A. No, I haven't seen the book since.

Q. Since that first meeting with Angella Issajenko?

10 A. No, all I can remember is the book was a very small book, it was green and inside it had "To Angella from Bob Kerr" or something like that.

Q. I see. That was the last you've seen of that particular book?

15 A. When I gave it back to her a couple of weeks later, yes.

Q. Yes. Well then it's perhaps unfair to ask you what your specific areas of disagreement would be with Dr. Kerr, and I would only ask you that because
20 obviously Dr. Kerr has had enormous influence internationally on athletes.

A. Well, I can recall what was more interesting to me in that the book just names drugs and possible effects and dosages, and I don't think it went
25 into the side effects or whatever should have been dealt

with a little bit more.

A. Yes.

Q. Yes. So your recollection is any disagreement with Dr. Kerr and his approach would be with respect to the fact that he didn't deal sufficiently with side effects?

A. In his book.

Q. Yes. All right. Because in your evidence, and I think this is of concern and interest to all of us, you said that in so far as the official information that was being communicated to the athletes internationally, you stated, in your words, that the side effects were tremendously exaggerated.

A. Yes.

Q. And that the athletes know this.

A. Yes.

Q. And clearly indicated that a good deal of--that a fairly significant credibility gap had built up between the people who administer or govern sport and the athletes who performed?

A. Yes.

Q. And I think what everybody would be interested in of course is bridging this credibility gap in the interest of athletics both in Canada and internationally.

A. Yes.

Q. You've seen some of the material of the Sports Canada and Sports Medicine Council?

A. Yes.

5 Q. That material appears to be quite factual, doesn't it?

A. I haven't seen all of the materials, sir.

10 Q. But are you suggesting any particular exaggerations?

15

20

25

A. I haven't read through all of the publications. I don't know what -- I don't know -- I think they put out articles on blood doping and that stuff and I'm not interested in blood doping and that.

5 Q. Well, just very briefly, Dr. Astaphan, Exhibit 18, a publication of the International Olympic Committee Medical Commission states, and the pages aren't numbered, in relation to anabolic steroids -- I think it's the 6th page?

10 A. I don't have a copy.

Q. Well, I'll just read it. It's a very brief reference and I -- it talks about the anabolic steroids under the title, "Anabolic steroids and related compounds." I'll just read you this one short paragraph.

15 "Their use in teenagers who have not fully developed can result in stunting growth by effecting growth at the ends of the long bones. Their use can produce psychological changes, liver damage and adversely effect the blood lipids and the cardiovascular system.

20 In males, their use can reduce testicular size and sperm production.

In females, their use can produce masculinization, acne, development of male

pattern hair growth and supression of
ovarian function and menstruation."

Is there anything exaggerated in that
statement?

5 A. No, but that sounds as though it's
directly copied out of the pharmacology bulletins.

 Q. Well, I was just curious as to where
you could assist us then with respect to this matter of
bridging the credibility gap between the athletes and the
10 governing authorities?

 A. Would you like my opinion on it?

 Q. Yes?

 A. Well, I think the athletes, and this is
not restricted to track and field, this is athletes,
15 period, they have knowledge coming out of many
publications. They have firsthand knowledge from people
who have been using steroids, going back to 1962 and some
of them 1960, are the first reported cases of steroids
being used for performance enhancing were in 1960 with the
20 weightlifting team from the United States of America with
Dr. Zeigler.

 Then in 1962, 63, there was a reported case
of Dr. Jacobsen giving President John F. Kennedy steroids
for about six months to keep him awake and allow him to
25 deal with Kruschev.

These people have all the evidence firsthand and they -- I'm just giving you the impression that these athletes have, that these recommendations and side effects are exaggerated in the pharmaceutical books or pharmacopia and by the IOC and the IAAF. Because they will tell you what they saw firsthand and as to quote some of them, "Textbooks don't get sick".

Q. Textbooks don't?

A. Get sick.

Q. Get sick?

A. Yes.

Q. Well then, how would you recommend that this credibility gap that you've described be overcome, be addressed?

A. I think it's much more acceptable to the athlete to educate them, a program of educating them but not scaring them because you're not going to scare them. They, unlike the concern when the tiger was on top of the mountain, how can it get there?

THE COMMISSIONER: I'm sorry. You dropped your voice. You said unlike?

THE WITNESS: Unlike Hemmingway when he said his concern was not what the animal was doing on top of the mountain, it was how did it get there.

Athletes are not concerned with how to get

there, they're concerned with getting there and they will get there come hell or high water. And I think my advice would be to educate them completely regarding the use and abuse of anabolic steroids and other performance enhancing drugs and have a more realistic view on it. Because they're not going to be scared. When you scare them, you scare them in to going into underground labs and pharmacies and buying stuff that's not good. And the great majority of them do.

MR. McMURTRY:

Q. You also expressed concern about the development of anabolic steroids that you say are impossible to detect?

A. No, sir, I wasn't expressing concern. I was just giving some information which I thought was necessary. I think the concern I expressed was the fact that when Mr. Armstrong asked me about the testing techniques, could it pick them up, and I told him that the IOC -- and I'm not just singling them out, but they're the ones who come up with the test because they sanctioned the meets -- they're a couple of steps behind the athletes.

Q. In what respect?

A. Oh, the testing techniques. It's -- they -- there are leaks everywhere and they will know --

athletes will know months to years before what is going to be tested, what the computer is programmed for, how the testing is going.

5 And there are drug companies, legitimate drug companies all over, who don't have the same view on anabolic steroids as we in Canada have, our Canadian drug companies. You know, that is why when Mr. Armstrong two days ago asked me a question about if I knew the IAAF rule, I was almost going to give an answer, then I stopped
10 because I didn't want him to think I was being rude.

And I was going to ask, whose version of the IAAF rules or IOC because the European version is -- the only rule they have is that if they catch you, you're out.

Q. Yes. And how is that different than

15 ---

THE COMMISSIONER: Well, because under our rules you're not allowed to use them. It just isn't being caught. You're not allowed possession or to use them because the advantage they give the athlete is long before
20 the match or before the contest. It served its purpose long before that. So the Sport Canada rule is they're not allowed to be in possession of a drug, let alone use it.

THE WITNESS: Can I -- sorry. I think part of the problem goes back to a study done by the Sports
25 Council of Canada in 1982, summer and released in February

'83 where the results show that, and I might be a few points of a per cent off, that 57 per cent of the athletes questioned on a national level admitted to having taken or taking alcohol.

5 40 per cent, I think, are -- 27 per cent stated yes to having taken or presently taking or using marijuana.

 Eight per cent stated positive to having taken or presently taking Benzodrine and other stimulants
10 and amphetamines.

 THE COMMISSIONER: I'm sorry, was this a poll?

 THE WITNESS: It's a national survey done by the Sport Medicine Council of Canada, I think -- I'm
15 not sure in conjunction with whom.

 Four to five per cent stated that they had been taking or were taking at that time anabolic steroids.

 Four per cent stated, which bothered me even more than anabolic steroids because I don't know what was
20 done about it, that they had taken or were at that time taking cocaine and at great majority of them questioned stated that they definitely knew the effects and side effects of anabolic steroids.

25 MR. McMURTRY:

Q. So, what concerned you was the response to the questionnaire or both?

A. The response, for one, and, secondly, that I don't think too much has been done between '83 and '88. There was mention on and off if we're going to implement random testing, we're going to implement random testing and you get a little bit worried. I wonder when they're going to random test. Should we change the athletes from this program to that program.

Then you get the feedback. Oh, they're going to notify us about the random testing. And then they may ask you and said, oh, you're really going to bring in random testing, everybody panicked because, at that time, I think Charlie and the group were getting a little bit paranoid, not unreasonably so, but because a lot of pointed statements were coming at the group.

THE COMMISSIONER: Of course, you could have done more than Sports Canada by just telling your athletes not to take the stuff.

THE WITNESS: Yes, I could have. But then there would be no sense sending them to compete, they would lose.

THE COMMISSIONER: Well, that's another issue. But, with all respect, you're preaching quite a different tune than your actions would exhibit?

THE WITNESS: Yes, sir, but it would appear to me that from the study and survey done by the Sport Medicine Council that Ottawa obviously had to know what was going on and they obviously condone it. They didn't
5 do anything. And if the powers that be are condoning it, who am I, a little, you know, radical to come and inflict or implement legislation. I just went with the flow of the tide.

And then in May last year, you know, we were
10 a little bit worried about the random testing because we figured that -- seeing that Charlie's group was doing and had done so well, relative to the others, that they might just sneak up and random test.

And some very rapid investigation was done
15 about random testing and the report that was brought back to Charlie and myself was that they were not going to random test after the Sherbrooke meet in 1989 which is this year for reasons that some senior man in the CTFA, or one of those governing bodies, had contacted a friend of
20 his who had contacted somebody in the Ministry of Sports and told them that had the random testing taken place that the top athletes, meaning Charlie's athletes, would not be able to compete in his ---

THE COMMISSIONER: I'm sorry, who said this?
25 I'm sorry.

THE WITNESS: This was -- I --- I don't know who said it but it was brought back to Charlie and myself.

THE COMMISSIONER: You don't know who said it?

5 THE WITNESS: No, sir. The name Jean-Guy Ouellette sounds quite familiar to me but he didn't tell me this. This is what we've ---

THE COMMISSIONER: We've heard some evidence about Mr. Ouellette.

10 THE WITNESS: He was quoted by the person reporting it back as having said this.

THE COMMISSIONER: I see. That's same incident I guess we've heard about?

MR. McMURTRY: Yes.

15 THE WITNESS: I figured, well, if they knew what was going on, then fine. Because, it was almost a threat; give 50, give 50.

20 THE COMMISSIONER: Couldn't the medical profession probably do more than anybody else to put an end to it?

THE WITNESS: Well, I don't know if they could do more than anybody else.

25 THE COMMISSIONER: Theoretically, all these drugs could only be got by prescription. All Schedule F drugs, as you know, can only be obtained through

prescription.

THE WITNESS: Yes, that's right but the medical profession --

THE COMMISSIONER: One way of closing down the supply is by the doctors not prescribing the drugs.

THE WITNESS: Yes, that's one aspect of it. The other aspect is if the doctors ---

THE COMMISSIONER: It may not foreclose all supply but it would be one way of attacking the problem.

THE WITNESS: Well, yes. My -- you know, with all due respect, my suggestion would not be -- would not be as such for many reasons, as was seen in the States, when they tried to do that and take Dianabol, etc cetera, off the market.

Overnight, numerous underground laboratories popped up. And sold not only pure stuff but when they ran out of the pure stuff, they mixed whatever they had and called it by whatever name you wanted. And I think that would happen in Canada too.

I think the medical profession, and this is not -- I'm not blaming the College or anybody. It's just the system that the medical profession should be counselled and advised of the fact that this is something that's being done and will be done and if it's not done with the supervision of physicians who at least have an

interest or an awareness of what's done, the athletes and assumed athletes, are going to go and do it on their own and get into trouble. They'll do it.

THE COMMISSIONER: All right.

5

MR. McMURTRY:

Q. Just one final question with respect to an interview that you are purported to have given to a gentleman by the name of Ayaz Memon which was published in a -- actually, a newspaper in Bombay and New Delhi called Midday.

10

THE COMMISSIONER: Well, you might ask him whether he gave that interview first and identify the ---

15

MR. McMURTRY:

Q. Yes, that's what I was attempting to do, Mr. Commissioner.

20

A. No. The first time I was aware of that interview was, I think, Steve Thorne from the Canadian Press phoned me one very late -- one night or very early, and asked me if I knew that there was some article circulating at the Inquiry put out by the Midday Sun.

25

And I asked Steve, at that time, if it was a rag. It sounded like one of those, you know, weekly gas boxes that come out. He said no, I saw the newspaper in

Bombay that had been put out.

I tell you, I complimented the guy because, to be quite honest, it's the most well-written article I've seen since the Olympics. But he also has a vivid
5 imagination and an extremely great art of interposing and juxtaposing other people's information into his article. I'd like to meet him.

Q. Well, I'll just -- I just want to ask you about one ---

10 THE COMMISSIONER: Well, did you talk to him.

THE WITNESS: I don't know who the guy is, sir.

THE COMMISSIONER: Pardon?

15 THE WITNESS: I don't know who the gentleman is.

THE COMMISSIONER: Didn't he come to St. Kitts and have the great ---

THE WITNESS: He says so.

20 THE COMMISSIONER: ---and had the great fortune of going on a fishing trip ---

THE WITNESS: He said so, that he met me at an ice cream bar or something like that.

THE COMMISSIONER: He was watching a cricket
25 match or something?

THE WITNESS: Well, the Indian team was in St. Kitts but this ice cream bar that he supposedly met me outside of ---

THE COMMISSIONER: Was it an ice cream ---

5 THE WITNESS: I don't like ice cream. What would I be doing there?

THE COMMISSIONER: I know. But I recall ---

10 THE WITNESS: No, no, he wasn't the one that went fishing with me, supposedly. That was Bob Oliver.

THE COMMISSIONER: Thank you.

MR. McMURTRY:

15 Q. But, the conclusion of the article and I'll just read it to you and you ---

MR. LEVINE: Well, sir, with respect ---

THE COMMISSIONER: Well, ask him if he said it?

20 MR. McMURTRY: I was just going to ask him whether he has said to this gentleman or anybody else.

MR. LEVINE: If the gentleman never met the reporter ---

25 THE COMMISSIONER: Well, just ask him if he said it -- just ask him if he ever said it. We'll shorten it that way.

MR. McMURTRY:

Q. It -- the lead in by the author, not by you, says, "But the biggest subjective of his life," and that's referring to you, "...now is to expose the
5 hippocracy in international sports."

And you are quoted as saying, "Let me blow the lid off this affair and the prevalent double standards. After I am through, the International Olympic committee will have to resign."

10 Did you say that to him or anybody else?

A. No, but I would -- I would concur. I never said it but it's -- it's a good assessment of how I felt on occasion.

Q. What do you mean by the term prevalent
15 double standards?

MR. LEVINE: Well but, sir, he said he just didn't say that. You're asking him about something that he didn't say.

THE COMMISSIONER: This is not getting us to
20 anybody place, Mr. McMurtry.

MR. McMURTRY: Well, with respect, Mr. Commissioner, this gentleman is being described by your counsel as being one of the most knowledgeable people in the world with respect to the use of anabolic steroids.
25 He's given evidence about the number of athletes who have

approached him.

THE COMMISSIONER: What question do you want to ask, what he thinks is double standards?

5 MR. McMURTRY: Well, I think it -- I assumed that we're concerned here about the -- what Canadian athletes are facing when they compete internationally.

THE COMMISSIONER: If the witness has factual knowledge.

10 MR. McMURTRY:

Q. And that's what I was going to ask him.

A. Well, I have factual knowledge, sir, because I answered Mr. Armstrong yesterday regarding the athletes I've seen from international countries.

15 THE COMMISSIONER: Yes, I think that's -- that was important. I'm interested also, as you know, Mr. McMurtry, on the international scene and we're doing a great deal of work in that effort. But, I wasn't sure about your question. Perhaps, that's why I ---

20 MR. McMURTRY: Well, he adopted the term prevalent double standards.

THE COMMISSIONER: I see.

25 MR. McMURTRY: And I was just seeking to ask him as to his personal knowledge of to these prevalent double standards.

THE COMMISSIONER: If he has personal knowledge.

THE WITNESS: A great majority of the athletes competing, and I mean great, great, in the upper
5 echelon -- elite athletes as they're referred to internationally -- are not competing clean.

THE COMMISSIONER: I'm sorry?

THE WITNESS: They're not running clean.

THE COMMISSIONER: They're not all clean?

10 THE WITNESS: No, sir.

THE COMMISSIONER: All right.

THE WITNESS: And I think -- and here again, I'm not suggesting anything -- I'm just -- my opinion is if Canada wants to submit a team that's running clean,
15 then you should ask for two sets of international meets, a clean meet and a non-clean meet because you're not going to get everybody else to come clean.

20 The Canadian team will go and they'll look very well and you say, oh, here we are, 117 Canadian athletes, all clean, well dressed and they'll do boo.

THE COMMISSIONER: They'll do what?

THE WITNESS: Boo. They won't even come last.

25 THE COMMISSIONER: Well, that's going to be hard to accomplish, not to come last. Even I can do that.

THE WITNESS: I know, but it's just -- it's extremely, extremely prevalent regardless of what anybody says.

THE COMMISSIONER: I understand.

5 THE WITNESS: And a lot of -- I made a comment yesterday which seemed to be -- to bring about a little bit of laughter but it wasn't meant as a joke when I said that if you want to see a tremendously high percentage of asthmatics, go to an international track
10 meet.

A lot of the asthmatic medications, particularly one called Clenbuterol which is made in West Germany, which is supposed to be an antiasthmatic is used.

15 THE COMMISSIONER: Well, there evidence being given, which we're following in the United States, which gives some support to what the doctors have been saying.

20 THE WITNESS: Yes, sir, and I think -- and I'm not casting aspersions on anybody, I'm just stating fact, that had they had results at the nationals at the Indiannapolis last year, that actually would correlate with the fact that between 16 and 20 of the athletes who finished first, second and third all had the same flu because they were on cough medication, I think it would
25 have been classified as an epidemic and the meet would

have been closed down.

MR. McMURTRY:

5 Q. Just finally, Dr. Astaphan, do you have
any other advice to offer us as to what can be done to
remove or alter those prevalent double standards?

THE COMMISSIONER: Well, the difficulty I'm
having, Mr. McMurtry, with your line of questioning,
here we have a witness who, by his own expertise and skill
10 and guile has set forth a system to beat it.

MR. McMURTRY: What better person then to
give us advice?

THE COMMISSIONER: Well, all right, if he
can do that. I think he's given the answer. I think he
15 says that the only answer is you have two meets, one clean
and one unclean.

THE WITNESS: Yes, sir, because it -- I will
guarantee you that Canada, or possibly one or two other
countries, will run clean.

20 THE COMMISSIONER: Well, maybe that's better
than winning, doctor.

THE WITNESS: Well, it may be but it's also
better to have two meets, a clean meet and a dirty meet.

THE COMMISSIONER: Well, maybe we should
25 have a meet with athletes and meet at another meet with

scientists and pharmacologists and doctors?

THE WITNESS: Well, actually, in all honestly, that's what international track meets are now.

THE COMMISSIONER: It's a contest between
5 the scientists?

THE WITNESS: Just about, yes, sir. They are, regarding the testing, the testing protocol, you have to open the door from this little clique that control the testing and expose -- expose it to people who have been in
10 the field, who know the field, and who people in the field will trust. And I'm not saying to pick on this person because he's my friend but I'm just using him as a reference. Somebody like Dr. DePasquale or somebody else like him.

15 THE COMMISSIONER: Would he know better what to look for?

THE WITNESS: Oh, absolutely, yes, sir. Can I just read something very briefly here?

THE COMMISSIONER: What are you reading
20 from? I'm not sure ---

THE WITNESS: Oh, a little scribble I made.

THE COMMISSIONER: Your own?

THE WITNESS: Yes. "Man's ingenuity has developed first and his soul afterward. Thus the progress
25 of science is far ahead of man's ethical behaviour."

Charlie Chaplin said that.

THE COMMISSIONER: That's been demonstrated.

THE WITNESS: I beg your pardon? I'm just saying Charlie Chaplin said that.

5 THE COMMISSIONER: Charlie Chaplin said that?

THE WITNESS: Exactly. And it -- this is true in track and field.

10 THE COMMISSIONER: Read that again? I think you've got a good point there.

THE WITNESS: "Man's ingenuity has developed first and his soul afterward. Thus the progress of science is far ahead of man's ethical behaviour."

THE COMMISSIONER: Ethical what?

15 THE WITNESS: Ethical behaviour.

THE COMMISSIONER: Right.

THE WITNESS: And until you can harness that and control it, then you're fighting a -- you're fighting a losing battle.

20 MR. McMURTRY: Thank you, Dr. Astaphan. Those are all the questions I have.

THE COMMISSIONER: Thank you. I suppose we -- you're next, Mr. Sookram? If we adjourn to 2:15, will that be helpful to you?

25 MR. SOOKRAM: Yes.

THE COMMISSIONER: All right, 2:15. Thank
you.

5

10

15

20

25

--- Upon resuming.

THE COMMISSIONER: Mr. Sookram.

MR. SOOKRAM: Thank you, sir.

THE COMMISSIONER: I need not remind you
5 this is your client and at this stage for purposes of
clarification of matter that were not fully canvassed by
Mr. Armstrong.

MR. SOOKRAM: Thank you.

10 --- EXAMINATION BY MR. SOOKRAM:

Q. Dr. Astaphan, we have heard in your
absence several versions of the substance that you gave to
your athletes. And now we would like to hear your
version.

15 THE COMMISSIONER: I thought we heard his
version.

MR. SOOKRAM: Not all of it, not these
parts.

THE COMMISSIONER: Okay.

20

MR. SOOKRAM:

Q. You told us that in June of 1985 you
received a substance which you called Miotolon or
Furazabol from an athlete from East Germany. And you
25 subsequently left the bottles containing those substances

with Mr. Francis. Mr. Francis told us that he paid for those bottles. Now, how did you work out the price?

A. The cost of the Inosine-vitamin B mixture was \$45.00. And I exchanged three to one, three
5 of the vitamin-Inosine mixtures for one of the Estragol or Miotolon.

Q. And you had bought the Inosine mixture?

A. Yes, sir.

Q. Yes.

10 THE COMMISSIONER: Did you make this -- did you mix this yourself?

THE WITNESS: Not the Inosine, I added the --

15 THE COMMISSIONER: You put vitamin B 12 or vitamins with the Inosine?

THE WITNESS: Yes, sir.

THE COMMISSIONER: You would mix that yourself, would you?

THE WITNESS: Yes.

20

MR. SOOKRAM:

Q. Did you add the cost of your vitamins to the Inosine mixture?

A. No, I didn't.

25 Q. So, you calculated only from the basis

of what the Inosine actually cost you?

A. Yes.

Q. Then in the fall of 1985, there is testimony, that you introduced the substance which you called Furazabol to the team.

THE COMMISSIONER: Which he called Estragol.

MR. SOOKRAM:

Q. -- and told us the circumstances.

THE COMMISSIONER: Which he called Estragal.

MR. SOOKRAM: We are coming up to that in the very next bit.

MR. SOOKRAM:

Q. And you introduced that to the team at a meeting?

A. Yes.

Q. There was a discussion?

A. Yes, there was.

Q. Did you introduce it that same day, the substance? Did you start using it right away?

A. No.

Q. How long after did you start using it?

A. Three or four months after.

Q. Now, if I am right, you mentioned that Mr. Francis was there, you were there, Mr. Johnson was there, Miss Issajenko was there, and one other. You have had a night to sleep on it, can you remember the name of that other person who was there?

A. No, no.

Q. No. What was the discussion about?

A. We discussed the fact that I had got these supplies in exchange for Inosine-vitamin B mixtures from, and I told them at that time who it was, from the East German athlete. And that the drug itself was called Furazabol by these people for secrecy, and that even though, you know, we knew that it was Miotolon and Furazabol, for the sake of secrecy we should refer to it henceforth as Estragol.

Q. Henceforth?

A. Yes.

Q. As from that day forward?

A. Yes, sir.

Q. Had you at any time subsequent to that date in the fall of '85 until 1988 used any other name to describe what the athletes were taking, that particular steroid?

A. White stuff.

Q. White stuff?

A. Or Estragol.

Q. And how did the other athletes describe it as far as you know?

A. White stuff or Estragol.

5 Q. Nobody ever used the name Furazabol as far as you know?

A. Not after that, no.

Q. Was that because you had agreed not to use that name at the meeting?

10 A. That was because of secrecy.

Q. And everything agreed never to use that name again?

A. Everybody agreed to use the word Estragol or white stuff.

15 Q. And when other athletes were later brought in to the fold to share in the use of that particular drug, were they told what it was originally?

A. You mean if they --

Q. Were they told it was Furazabol, also
20 called Miotolon, and that they must never refer to it by that name again?

A. If they were sent by Charlie to me.

Q. Yes?

A. When he introduced them to it, I would
25 imagine he would have told them the same thing.

Q. But you never asked them if they knew that this what they are getting was Furazabol?

A. Not if they were on it by Charlie.

Q. You took it that Mr. Francis must have told them about it?

A. Yes, because I would imagine that allowing them in to the inner core, he would trust them.

Q. From time to time, so the evidence went in your absence, you purchased steroids and other substances for the athletes; is that right?

A. Yes.

Q. What other substances did you purchase apart from steroids?

A. Vitamins, nutritional supplements.

Q. Did they pay you before you purchased? Did they give you the money to go and buy it, or did they pay you after you purchased for them?

A. On occasion they would pay me before, on occasion they would pay me after, and on most occasions they wouldn't pay me at all.

Q. All in all, would you say that you made any profit on these transactions where you obtained after you had been given money or obtained at your expense and then got the money back would you say at any time that you made any profit on it?

A. No, I lost money every time.

Q. Offhand, can you remember who owes you money and for what?

A. Angella doesn't owe me any money
5 because she was the one who always who paid her bills.

Q. Was she the only one who always paid?

A. Yes.

Q. Who owes you?

A. Desai Williams owes me \$1,000.00 for
10 the growth hormone.

Q. Yes?

A. Mark McKoy owes me \$1,000.00 for the
growth hormone.

Q. Yes?

A. And I am expecting between 20 and
15 30,000 U.S. still owing to me by Ben.

Q. That's under contract?

A. Yes, sir.

Q. I am talking about the things that you
20 bought?

A. Oh, Ben has never paid me. The only
time he has ever paid any money was for the the growth
hormone in 1988. He wouldn't pay.

Q. Never paid?

A. No.
25

Q. Did you ask him for the money?

A. On occasion. And after I thought I was getting nowhere, I just he wasn't going to pay me anyway.

Q. Anybody else still owe you money?

5 A. Yes, a lot of the athletes owe me money.

Q. Can you remember who?

A. Yes, some of the football players owe me money.

10 Q. No, I am talking about this particular set of people who joined the Mazda team or became attached to it without actually being in the inner core?

A. No, I can't remember.

15 Q. All right. Now, between September 1986 and August 1988, you came to Canada several times?

A. Yes.

Q. At whose expense?

A. My expense.

Q. What was the purpose of your coming?

20 A. Mainly to observe first hand the progress and whether or not they were any effects or side effects from the programs these athletes were on.

Q. Offhand, I know I tried to get you to calculate it this morning, how many times did you come back to Canada to check on these athletes between

25

September 1988 and August -- September 1986 and August 1988?

A. About 10 times.

Q. At your own personal expense?

5

A. Yes.

Q. Have you ever asked any of the athletes for a contribution towards your travelling expense?

A. Not until last year.

Q. Not until last year?

10

A. Not until August last year.

Q. You asked the athletes for personal contributions?

A. Not the athletes, no.

Q. Whom did you get the contribution from?

15

A. Well, I was supposed to have got a contribution from Ben.

Q. Yes.

A. As a matter of fact, the tickets were supposed to have been purchased.

20

Q. One ticket?

THE COMMISSIONER: Is there a reference in some of the correspondence to money owing? Was it \$4,500 or something for a trip you were supposed to get? I mean expenses you had paid out.

25

THE WITNESS: Yes. On one occasion I paid

\$16,200 Caribbean dollars, which is about \$8,000 Canadian dollars for two tickets for Ben and myself to go from St. Kitts to Italy. And the morning before, the morning of the day before we left, Ben decided he wasn't going on that direction. He wanted to come to Toronto to see his girlfriend who supposedly was involved in a car accident. So, I got two tickets, and we came here on an Adventure tour flight.

Q. And Mr. Johnson had promised to repay the money?

A. Yes.

Q. And he never paid?

A. He never -- he never repaid me.

A. Larry Heidebrecht, in Italy, got from one of the promoters just over \$3,000 U.S. which he gave me.

Q. So, you were still short about \$1,600?

A. About \$3,600 Canadian.

Q. All right.

THE COMMISSIONER: Excuse me, I am talking about the letter of July 19, '88.

MR. SOOKRAM: Yes, sir.

THE COMMISSIONER: Please note I am waiting for \$4,200 U.S. that I incurred as an additional cost for ticket for Ben and myself to travel to Padova.

THE WITNESS: Yes, sir, that was what was owing after Larry gave me the money.

THE COMMISSIONER: I just was --

MR. SOOKRAM: Thank you, very much, sir.

5 THE COMMISSIONER: -- drawing it to your attention. Did you ever get that money?

THE WITNESS: No, sir.

THE COMMISSIONER: The \$4,200.00.

THE WITNESS: No.

10 THE COMMISSIONER: Thank you, sorry.

BY MR. SOOKRAM:

Q. Did you get any money for any of the other trips you made from St. Kitts to Toronto with a view of monitoring the athletes who are on the substance, on the steroid?

15

A. No.

Q. Did you ask any of the athletes individually to cover any part of those expenses?

20 A. No.

Q. Did you ask the Mazda club to cover any part of those expenses?

A. No.

THE COMMISSIONER: Except for the \$4,200.

25 MR. SOOKRAM: Yes, I am talking about the

general trip, not the special trip.

MR. SOOKRAM:

5 Q. Dr. Astaphan, how much on a rough figure, ball park sort of, did you spend on the trips to and from St. Kitts in order to monitor these athletes? Don't include the living expenses, just the travelling.

A. Over 10,000 Canadian dollars.

10 Q. Why did you, after you left Toronto and left the athletes, why did you spend so much money?

A. Because I was interested in the progress and the well-being of the athletes.

Q. Even after you had left?

A. Yes.

15 Q. Because you knew they were still taking the stuff that you provided for them?

A. Yes.

Q. Couldn't you have just telephoned to find out how they were?

20 A. I could have, but it was much better and more to my inclination to see them in action.

Q. Then you were stiffed either by Mr. Berone or by Mr. Brisbois?

THE COMMISSIONER: What was the word?

25 MR. SOOKRAM: Stiffed.

THE COMMISSIONER: Stiffed.

MR. SOOKRAM: Yes, sir.

THE COMMISSIONER: I got it.

MR. SOOKRAM: I thought you would, sir.

5

MR. SOOKRAM:

Q. In the sum of \$3,600 on one of these --
in your attempt to get some HGH; is that correct?

A. \$3,600 U.S.

10

Q. \$3,600 U.S.?

A. U.S. dollars.

Q. And if I remember rightly you said you
had to put in that money in order to get the necessary
supplies?

15

A. Yes.

Q. That the original sum of \$10,000.00 to
pay for the supplies had come from Mr. Johnson?

A. It had.

Q. You felt responsible to replace it?

20

A. I did.

Q. Did you ask at any time any of the
athletes to make a contribution since they were all going
to share in the stuff?

A. No.

25

Q. Did you ask the Mazda club to help you

out with that \$3,600?

A. No.

Q. So all in all, ball park figure, would you say that this, your relationship with the Mazda club, has cost you at minimum say \$25,000 Canadian dollars?

A. Since 1983?

Q. Yes, since 1983?

A. A lot more than that.

Q. What sort of a ball park figure did you --

THE COMMISSIONER: I think you started out asking '86 and '88, I think --

MR. SOOKRAM: That's where I started from, sir.

THE COMMISSIONER: We are back to '83 now.

MR. SOOKRAM: He went back to '83 and I just let him have his rein. I didn't want to ride him too hard.

THE COMMISSIONER: You don't do that with everybody. All right.

MR. SOOKRAM:

Q. Perhaps I better put it that way. Doctor, between 1986 when you left to go to St. Kitts and 1988, August, just before the team went to Korea, as

around ball park figure, nobody is going to question it,
how much do you think you were out of pocket?

A. Including my loss of income when I was
travelling?

5 Q. No, no, just ordinary expenses?

A. About 30, 35,000.

Q. And if we included the amount of money
you might have earned during that time, it would be very
much more than that?

10 A. Much, much more.

Q. Then if we include the expense you had
providing things for the athletes between 1984, when you
were first attached to the club, and 1986 when you went
home, that ballpark figure you gave us would rise a little
15 bit higher?

A. Much higher.

Q. We were told that you received
\$25,000.00 from Mazda as a gift for the care you took of
their club over several years?

20 A. Yes. That was in -- sometime in spring
last year.

Q. We were also told that you received
some \$40,000.00 from the CTFA or from Mr. Johnson's
account; is that correct?

25 A. I think it was more like \$30,000.

Q. What do you mean more like?

THE COMMISSIONER: Is that by reason of that contract of July 18?

5 MR. SOOKRAM:

Q. Yes, it was a contract for four or five months which meant that you would have got 30 or 40,000 -- sorry, 40 or \$50,000 if the contract had run its course?

10 A. There was a contract for five months from May until the third week in October.

Q. Yes. So, you were expecting \$50,000?

A. Yes.

Q. How much of that money did you actually get?

15 A. I think \$30,000.

Q. We have been led to believe that it was \$40,000?

A. Well, some one of us could be wrong, but I think it was 30.

20 THE COMMISSIONER: I am not sure that figure was proven. Was it, Mr. Armstrong?

MR. ARMSTRONG: No, I don't think -- I don't believe that figure has been proved.

25 THE COMMISSIONER: I don't think it has been proved.

MR. SOOKRAM: No, it has been mentioned not proved.

THE COMMISSIONER: I see.

5 MR. SOOKRAM: This is why I am not trying to pin the Doctor down to say he is correct or somebody else is correct.

THE COMMISSIONER: I don't think that's been established one way or the other.

10 MR. ARMSTRONG: I think at one point I provided Mr. Sookram with some information that we believed the figure was \$40,000.00.

THE COMMISSIONER: I see. All right. Fine, thank you.

15 MR. SOOKRAM:

Q. So, all in all even if we accept that you had \$40,000, even if we accept that not that we are doubting your version of \$30,000, and even if we add the \$25,000.00 to that, would you say you have broken even?

20 A. No way near.

Q. You are on the debit side of the ledger?

A. Very much so.

25 Q. Now, on Wednesday morning, Doctor, you told us that before commencing administering steroids to

the athletes, you obtained information from certain physicians who knew more about drugs than you did, who knew more about steroids than you did. And you were kind enough to provide us with a few names Drs. Fenn, Cherry and Lepanski and I noticed that at that point --

THE COMMISSIONER: I think he said he sent his patients there.

MR. SOOKRAM: Yes.

THE COMMISSIONER: After he left. I don't think he consulted them before. He didn't name the doctors before I don't think.

MR. SOOKRAM: I stand corrected.

THE COMMISSIONER: I think the reference to that doctors is that when he gave up his practice he referred his patients --

MR. SOOKRAM: To those three doctors.

THE COMMISSIONER: -- but I don't think he told us who he discussed -- gained his knowledge about steroids at this time.

MR. SOOKRAM: I thank you, sir.

MR. SOOKRAM:

Q. There were other doctors whom you had consulted or discussed the matter with, the matter of steroids?

A. Yes.

Q. I noticed that they -- and I was sitting down here hoping that perhaps you would mention their names, but you didn't want to it seemed to us. Why
5 didn't you want to mentioned names of the other doctors?

A. I don't think it is necessary to stink up anybody else's name. They were just giving me innocent, knowledgeable advice.

Q. Now, apart from those doctors who gave
10 you what you described was knowledgeable advice, did you do any further research on your own?

A. Yes, I did.

Q. I think earlier you indicated you read some published materials from 1961 up to 1983?
15

A. Yes, and some after that, too.

Q. Could you indicate to us a few titles that you had read?

A. Sure I can read you titles. The one going back the furthest was a study done by Winthrop
20 Laboratories in 1961.

Q. Winthrop in England?

A. No, I would imagine it is Winthrop here.

THE COMMISSIONER: That is the manufacturer
25 Winthrop?

THE WITNESS: Yes. Yes, sir. I did research and reading on the research and the cancer chemotherapy reports, all kinds of dermatology 1963, 1964, 1965. The Annals of New York Academy of Science 66, 66, 66. There are -- in '84 I did the American Journal of Sports Medicine, clinical endochronology from Oxford, and it goes on.

Q. Now --

A. Including one of the Sports Medicine Foundation of Canada's reports on a survey done.

THE COMMISSIONER: You dropped your voice, reports on what? What reports on?

THE WITNESS: On a survey, a national survey done about the -- by the Sports Medicine Council of Canada in 1982 and published in 1983.

THE COMMISSIONER: Thank you.

MR. SOOKRAM:

Q. I don't want to offend the Commissioner by boring him to death by asking you to read extracts from those materials, but are you prepared, sir, to furnish such materials to the Commissioner should he so require so that he could see what sort of research you did?

A. Yes.

Q. You will?

A. Yes.

THE COMMISSIONER: You will forward that to Mr. Armstrong?

MR. SOOKRAM: You have forwarded it
5 already?

THE COMMISSIONER: I have it already?

MR. SOOKRAM: I will forward it to you via Mr. Armstrong, sir.

THE COMMISSIONER: All right. But give it
10 to somebody else first, that's all. Okay. Thank you.

MR. SOOKRAM:

Q. As a result of your reading, Dr. Astaphan, and as a result of the consultations you had
15 with people who, as you put it, some physicians who are heavy in the use of steroids, did you yourself come to any conclusions as to the ethicacy and the harmfulness of steroids generally?

A. Yes, I did.

Q. Would you mind sharing those
20 conclusions with us?

A. The conclusions which I came to regarding (a) the ethicacy was there was without doubt benefit to an athlete from the taking of steroids. (b),
25 regarding the side effects, that they were somewhat

exaggerated and overemphasized, but in general consensus.
And that steroids taken in appropriate dosages were
literally harmless.

THE COMMISSIONER: I am sorry?

5 THE WITNESS: In appropriate dosages.

THE COMMISSIONER: That would be the amount
taken and the length of time?

THE WITNESS: Yes, sir, yes.

THE COMMISSIONER: All right.

10

MR. SOOKRAM:

Q. Were you aware, sir, in 1984, of the
policy of the College of Physicians and Surgeons as
regards the use of steroids by athletes?

15 A. Yes, I was.

Q. You were. How did you become aware of
the College's policy?

A. By reading the notices which are sent
out.

20 Q. I take it you have got one of those
notices with you?

A. Yes, I do.

MR. SOOKRAM: Have you got one Mr.
Commissioner?

25 THE COMMISSIONER: No, I have read it, but

I think we should file it.

MR. SOOKRAM: Yes, I intend to do so.

THE COMMISSIONER: I have read it.

5

MR. SOOKRAM:

Q. Dr. Astaphan, I wonder if you would mind reading for us the last two paragraphs of the -- is your --

10

THE COMMISSIONER: Perhaps we can mark it as an Exhibit first and then -- do you have an extra copy yourself?

MR. SOOKRAM: Yes.

THE COMMISSIONER: Mr. Armstrong, do you have a copy?

15

MR. SOOKRAM: I think I have got my extra copy.

THE COMMISSIONER: Mr. Armstrong?

MR. ARMSTRONG: Yes. I don't have any extra copies.

20

MR. SOOKRAM: I wonder if you can mark it and I will borrow, I don't seem to be able to put my hand on the extra copy.

THE REGISTRAR: Number 186.

25

MR. SOOKRAM: We aren't as well as the Commissioner in getting copies.

--- EXHIBIT NO. 186: Excerpt from College Notices, Issue
No. 6, June 1983.

MR. SOOKRAM:

5 Q. What is the date of the document,
please, doctor?

A. June 1983, College Notices, the Issue
No. 6.

Q. College Notices, Issue No. 6?

10 A. Yes.

Q. Now, please read to us, sir, only the
last two paragraphs?

A. "All oral forms of anabolic steroids
contain a chemical group that is
15 associated with some degree of hepatic
toxicity in a large proportion of
those who use them. These side
effects have only been described in
patients taking oral agents and have
20 not been reported where injectable
forms were used.
In men, anabolic steroids may cause
testicular dysfunction which is
reversible on withdrawal of the
25 agent."

Q. You read that as a excerpt from your governing body, the College of Physicians and Surgeons of Ontario?

A. Yes, I did.

5 Q. They are your licencing body?

A. Yes, they are.

Q. Did you believe what you read there?

A. Yes.

10 Q. How did you take this document? How did you assess it? Did you look to it as your Gospel, as your Bible, as your guideline, or as just something to tell you or something to define the parameters under which you were to operate?

A. As defining my professional parameters.

15 Q. Your professional parameters?

A. Yes.

Q. So, when you prescribed a steroid or administered a steroid, you didn't think you were doing anything criminal?

20 A. No.

Q. Nothing illegal?

A. No.

Q. And that was in 1984?

25

Q. That was in 1984?

A. Yes.

Q. Are you aware, sir, that the College
has ---

5 THE COMMISSIONER: Criminal or legal, it
wouldn't apply to ---

MR. SOOKRAM: Something within the ---

THE COMMISSIONER: Well, I'm not saying it
is. It could be professional misconduct without being
10 criminal or illegal.

MR. SOOKRAM: Precisely, sir, precisely.

THE COMMISSIONER: I'm not saying it is. I
don't know whether your question is directed to that or
whether it's criminal or illegal in that sense.

15 MR. SOOKRAM: My point, sir, is that his
professional body is telling him to do something and he's
taking that as his guideline.

THE COMMISSIONER: I understand.

MR. ARMSTRONG: If anybody is guilty, it's
20 his professional body.

THE COMMISSIONER: Well.....

MR. ARMSTRONG: This is what they knew, this
is what they told him he could do and he did it.

THE COMMISSIONER: Don't jump to
25 conclusions. Just ask the questions and we'll hear your

conclusions at some more convenient time.

MR. ARMSTRONG: Yes, a month from date,
perhaps two months from date.

THE COMMISSIONER: Well, not that long.

5

MR. SOOKRAM:

Q. Were you aware, sir, that the College
has since changed their stance on steroids?

A. Yes, I am.

10

Q. When were you made aware of that?

A. Late last year.

Q. Late last year. Have you got before
you there, sir, a notice, a College notice issued -- issue
number 16 dated November, 1988?

15

A. Yes, I do.

THE COMMISSIONER: Excuse me, Mr. Sookram.
May I have the first one now? You're through with the
first one?

MR. SOOKRAM: Yes, sir.

20

THE COMMISSIONER: What's number is that?

THE REGISTRAR: 186.

THE COMMISSIONER: May I have a copy of
that, please?

25

MR. SOOKRAM: Before we proceed any further,
sir, on that issue dated 16 dated November 1988, I would

perhaps be well advised to have this entered as an exhibit?

THE COMMISSIONER: Just bear with me. I want to re-read this again, please.

5 MR. SOOKRAM: Yes. Exhibit number 187.

---EXHIBIT NO. 187: Bulletin No. 16 dd. November 1988

MR. SOOKRAM:

10 Q. Could you please read to us, sir, the last paragraph of this guideline?

A. "Prescribing, administering or providing assistance relating to the use of substances including anabolic steroids for the purpose of enhancing athletic performance without medical indication and/or for the apparent purpose of assisting an athlete to cheat is unprofessional conduct".

15

THE COMMISSIONER: What date was that.

MR. SOOKRAM: November 1988, sir.

20 THE COMMISSIONER: Thank you.

MR. SOOKRAM: I now pass it up.

THE COMMISSIONER: Okay.

MR. SOOKRAM: For your inspection, sir.

25 THE COMMISSIONER: Going back to the '83 directive, if you want to call it that,

"The physicians who prescribe anabolic steroids must warn their patient of side effects and carefully monitor the patient as long as these compounds are being taken."

5 You're aware of that edict?

THE WITNESS: Yes, I am.

THE COMMISSIONER: And what Mr. Sookram is pointing out is what is new is the last paragraph?

MR. SOOKRAM: Yes.

10 THE COMMISSIONER: In November '88.

MR. SOOKRAM: It has now become unprofessional.

THE COMMISSIONER: I understand. Thank you very much.

15 MR. SOOKRAM:

Q. So I take it, doctor, that at this date --

MR. ARMSTRONG: Also, it might be fair, too, in looking at the June 1983 policy, to have the doctor not only read the penultimate paragraph but the earlier paragraph that talks about side effects.

MR. SOOKRAM: Yes.

MR. ARMSTRONG: He just read the penultimate paragraph.

25

THE COMMISSIONER: You want to read ---

MR. ARMSTRONG: My friend left it as if the only concern the College had was the one paragraph that he had the doctor read from.

5 THE COMMISSIONER: Well, do you want to read it all, Mr. Armstrong? "Anabolic steroids --" this is back in '83?

MR. ARMSTRONG: Yes.

10 THE COMMISSIONER: "Are frequently used by athletes despite demands of various sports organizations. Controversy surrounds the interpretation of clinical trials but there appears to be little evidence that the enhanced endurance, speed or cardiovascular
15 fitness. Physicians who prescribe anabolic steroids must warn their patients of side effects and carefully monitor the patient as long as these compounds are being taken.

20 Even though the newer synthetics have a lower androgenic effect, they may have cause premature and irreversible epiphyseal closure in young persons. The masculinizing effects are particularly striking in young women. Prepubertal female athletes are at
25 greatest risk."

Then I, think --

MR. ARMSTRONG: I think the complete statement in respect of the side effects should be on the record.

5 THE COMMISSIONER: I think the new one, Mr. Armstrong, really adds this last clause to it, does it not?

MR. ARMSTRONG: Yes.

10 THE COMMISSIONER: All right. Thank you very much.

MR. SOOKRAM: Yes. I had no intention of short circuiting the system but I'm not representing the College of Physicians and Surgeons and I thought they would do it in their time.

15 THE COMMISSIONER: All right. Go ahead.

MR. SOOKRAM:

20 Q. Now, doctor, what, in your mind, is the effect of this last paragraph in the November publication, November 1988 publication?

THE COMMISSIONER: Does he have it in front of him?

MR. SOOKRAM:

25 Q. Yes.

A. The effect on me?

Q. What does it mean to you? What does it tell you? What does it tell you?

A. That's the end to putting any athletes
5 on steroids.

Q. It's the end for any doctor who wants to practice in Canada to put an athlete -- at least in Toronto or -- in Ontario, to put any athlete on steroids.

Then you told the Commissioner you had no
10 intention of getting back in the athletic field with -- getting involved with sports -- with athletes and steroids?

A. I don't have any intention of getting back into anything with athletes, steroids or otherwise.

Q. Just before 4 o'clock yesterday
15 afternoon, just before we left, the question was raised about the medical records of these athletes and whether it is right for me to come to that conclusion, or perhaps it's wrong, I saw an insinuation there that you either
20 removed the athlete's records from your office before you sold the practice in June or that your clinic was conveniently vandalized to prevent the inspectors from the College of Physicians and Surgeons from finding such records later on in the month of April.

25 Now, can you tell the Commissioner what date

the -- your clinic was vandalized?

A. I think it was in early April of '86 --
of '86.

Q. You can't remember the exact date?

5 A. No.

Q. And the matter was reported to the
police, was it not?

A. The police called me.

Q. The police called you?

10 A. Yes.

Q. And told you. And you made out a list
of the things that you thought were missing?

A. Yes.

15 Q. And did the police ask you whether or
not you had any suspicions as to why your office was
vandalized?

A. Yes.

Q. And you told him what your suspicions
were?

20 A. Yes.

Q. Did those suspicions have anything to
do with the Inquiry which was going to follow?

A. Yes, but not on my behalf.

25 Q. Could you explain that a little bit,
please?

A. They -- I had just returned from Florida where my wife and children and myself went for a couple of weeks and we got a notification from the College of Physicians and Surgeons that they were going to do an audit and they sent a list of names. Now, when I went
5 through those names, very, very few sounded familiar to me.

Q. The names?

A. On the list that they wanted to audit.

10 Q. Yes? I think it will help the Commissioner if you told him how many doctors were using the same practice?

THE COMMISSIONER: What do you mean, they were ----

15 MR. SOOKRAM: Sharing the practice.

THE COMMISSIONER: Sharing the office and so forth.

20 THE WITNESS: They were sharing our physiotherapy department downstairs on the ground floor of the building.

THE COMMISSIONER: How many? I think Mr. Sookram was asking a number of doctors?

THE WITNESS: Ten or twelve. I'm not sure, quite a few.

25 THE COMMISSIONER: All right.

THE WITNESS: So I went downstairs to the physiotherapy department and asked one of the girls in the department, who was willing to give me information, if she could look at these patients and see whether or not they were patients from the clinic below.

It turned out that the majority of them were from the physiotherapy clinic downstairs, had been treated there with bills were submitted to OHIP, the use of a rubber stamp bearing my signature.

MR. SOOKRAM:

Q. All right. I don't think -- unless Mr. Commissioner wants to hear more, I don't think we need to go any further than that.

The point is, did you have anything to gain by keeping these athlete's records away from the College of Physicians and surgeons?

A. None, none at all.

Q. It wouldn't -- they weren't the names on your list?

A. No. Two or three of them were on the list of the physiotherapy.

Q. Just a few?

A. Yes.

Q. The others were not your patients?

A. No.

Q. Now, you knew at the time, doctor, did you not, that from the guideline of the College of Physicians and Surgeons in 1983 which, in administering
5 steroids, you were not deviating from. Would there be any reason for you not to want to produce the records if you have them?

A. None at all. No reason at all.

THE COMMISSIONER: You're aware, I guess,
10 Mr. Sookram, that the June '83 excerpt from the notice of the College doesn't specifically address the issue of providing anabolic steroids for the sole purpose of enhance willing performance. So that -- I'm not sure what the full effect of the '83 document is. But we'll discuss
15 that some other time.

MR. SOOKRAM: Thank you, sir.

THE COMMISSIONER: It may be anabolic steroids in connection with an ailment that they're talking about in '83, I don't know. But, I guess the
20 inference is, it didn't cover what was said in '88 or else they wouldn't need it.

MR. SOOKRAM: Yes, sir. They probably saw the loop hole and tried to plug it in. And they've been locking the stable door after the horse had bolted.
25 Perhaps -- I'm about to embark on a new phase, sir.

Perhaps ---

THE COMMISSIONER: Well, Can we go for a few more minutes and then we'll take it?

MR. SOOKRAM: Thank you, sir. I wasn't
5 thinking so much of myself. I was thinking of the witness.

THE COMMISSIONER: How long do you think you'll be without --- I haven't heard anybody yet. I may start, as a matter of fact.

10 MR. SOOKRAM: I will not finish today.

THE COMMISSIONER: Pardon?

MR. SOOKRAM: I will not finish today. My client has come thousands of miles and he's not likely to come back unless there is an emergency.

15 THE COMMISSIONER: I didn't ask for, you know, a lecture at the moment. I just asked for how long you'll be.

MR. SOOKRAM: I'll be here all day today and perhaps all day on Monday. I don't know.

20 THE COMMISSIONER: I'm not sure we'll go that along with that view. Take five minutes now.

---Upon resuming

25 THE COMMISSIONER: All right. Mr. Sookram?

MR. SOOKRAM: Thank you, sir.

THE COMMISSIONER: Thank you very much.

Thank you.

5

MR. SOOKRAM:

Q. Dr. Astaphan, this Commission has heard, and indeed has been given, a diary which was reputedly kept by Ms. Issajenko. Do you know for a fact that Ms. Issajenko had been keeping a diary?

10

A. Yes.

Q. Had you ever seen that diary?

A. Yes.

Q. And on what sort of occasions?

15

A. She would take it to the track with her sometimes or when we were on tour she would have it in her room when we were playing dominoes or whatever.

Q. Yes?

A. And she would be writing, writing entries in this diary.

20

Q. Have you, at any time, discussed the kind of entries with her that she makes?

A. On occasion, yes.

Q. What sort of things did you discuss?

A. The times.

25

Q. Whose times?

A. Her times.

Q. Her times?

A. Yes.

Q. Yes?

5 A. And how she was feeling physically,
mentally.

Q. She had entered that in her diary.

A. Yes, on some occasions.

Q. Yes?

10 A. And she would put down personal
problems, et cetera, that she was having and whatever
expressions she had towards anyone else.

Q. So generally speaking, she had recorded
some times -- she would take the diary with her even on
15 tour?

A. Yes, I've seen it with her on tour on
occasion, yes.

Q. Would you know or would you able to
tell us whether or not she made daily entries?

20 A. She could have but I have seen, on more
than one occasion, filling in, in addition to her times --
what she did enter every day was the times she ran and the
distances, to my knowledge, but I have seen her on more
than one occasion filling in two or three days.

25 Q. At one go?

A. Yes.

Q. How would you know that she was backfilling information?

A. Because you could see the dates.

5 Q. I see.

A. On occasion she would ask me to remember how I ran at this meet and how I did this, how did I finish or how did I start.

10 Q. See, one of the entries that was read out to us from Mr. -- Ms. Issajenko's diary while -- related to the fact that she was waiting in Guadeloupe for some supplies from you -- perhaps I better give you my copy to look at or -- I don't think this was entered as an exhibit. June 1986 -- was that entered as an exhibit?

15 MR. ARMSTRONG: No.

MR. SOOKRAM: It wasn't. Would you mind if I showed the doctor this?

20 MR. ARMSTRONG: The way we operated with the diary, Mr. Commissioner, was that we simply read into the record the appropriate entries.

MR. SOOKRAM: I'll read it for him.

THE COMMISSIONER: Show Mr. Armstrong what you're going to read?

MR. SOOKRAM: Oh, yes, certainly sir.

25 THE COMMISSIONER: Is that portion not read

in yet? We left out any personal matters, as you know --

MR. SOOKRAM: Certainly, sir.

THE COMMISSIONER: ---that's not relevant.

Is what you want to put to the witness been read in yet or
5 is that something ---

MR. SOOKRAM: Yes, sir, but he wasn't here.

THE COMMISSIONER: I understand but you were
here?

MR. SOOKRAM: Yes, sir. I just want to read
10 to him what was read in.

THE COMMISSIONER: What time of day was that
read in, do you recall?

MR. SOOKRAM: I didn't make a note of that,
sir.

MR. ARMSTRONG: Perhaps you better show Ms.
15 Issajenko's counsel who's here what it is you propose to
read in. Is that -- could I have your indulgence?

THE COMMISSIONER: Yes, Ms. Pinheiro.

MS. PINHEIRO: Yes, Mr. Commissioner.

THE COMMISSIONER: What's the date. Do you
20 recall a date, Mr. Sookram?

MR. SOOKRAM: March '84.

MR. LEVINE: It's the wrong one.

MR. SOOKRAM: I intended to read that one
25 in, as well.

THE COMMISSIONER: These, both of them read in before?

MR. SOOKRAM: Yes. From my record, five pieces were specifically read in, word-for-word.

5 MR. ARMSTRONG: Sorry. And was there something else?

THE COMMISSIONER: He's giving you the other one. He's got two there.

10 MR. SOOKRAM: I wouldn't quote it, I'll just read it.

THE COMMISSIONER: Have you got both. He's got two.

MR. ARMSTRONG: No, so far I'm -- you're going to read this in?

15 MR. SOOKRAM: You read it in. It's already been read in. Just refreshing the doctor's mind.

MR. ARMSTRONG: Oh, yes.

MR. SOOKRAM: It's already been read in.

20 MR. ARMSTRONG: Yes, that's no problem. I've already read it to the witness so far.

THE COMMISSIONER: All right. The other one is coming back, Mr. Sookram.

MR. SOOKRAM: Thank you very much.

25 MR. ARMSTRONG: Apparently, Ms. Issajenko's counsel, Ms. Pinheiro, has no objection. I don't have any

objection as long as you stick to what is already in the record and I believe those entries that you've referred to appear like it's likely they may have been in the record. I don't have instant recall to know now whether they were,
5 but they look like they may well have been in the record and I accept Mr. Sookram's ---

THE COMMISSIONER: He says it is and we'll take that statement.

MR. ARMSTRONG: Thank you.

10 THE COMMISSIONER: This is March '84?

MR. SOOKRAM: March 4, 1984, sir. On that page, there -- if you have your copy, sir? You don't need it. There are three entries --

15 THE COMMISSIONER: Well, just read the one ---

MR. SOOKRAM: Friday and Saturday and the Sunday on the one page. And the Sunday says; "Travel to Guadeloupe, Astaphan hasn't come up with G.H...." which I take to be growth hormone.

20

MR. SOOKRAM:

Q. Dr. Astaphan, when this matter was raised, you told Mr. Armstrong that this entry does not reflect accurately your memory of this supply of growth
25 hormone. Am I correct?

A. Yes.

THE COMMISSIONER: Isn't that the occasion when Mr. Johnson and Mr. McKoy brought it down the next day?

5 MR. SOOKRAM: Or alleged to have taken it down, sir.

THE COMMISSIONER: Well, Mr. McKoy said they did. I'm sorry, was Mr. Bethune -- I'm sorry, it was Mr. Sharpe.

10 MR. SOOKRAM: Yes.

THE COMMISSIONER: Mr. Sharpe and ---

MR. SOOKRAM: Mr. Johnson and Mr. Sharpe.

15 THE COMMISSIONER: ---Mr. Johnson. Mr. Sharpe has testified as to what happened and Ms. Issajenko has confirmed that. But, they did bring down the growth hormone.

MR. SOOKRAM: They did?

20 THE COMMISSIONER: Yes. That's what she's referring to, she's waiting for it and apparently it comes along later.

MR. SOOKRAM: And Dr. Astaphan told Mr. Armstrong ---

MR. SOOKRAM:

25 Q. Dr. Astaphan, did you tell me -- I didn't intend to enter into dialogue, sir.

THE COMMISSIONER: No, go ahead?

MR. SOOKRAM:

Q. Dr. Astaphan, did you tell Mr.

5 Armstrong that as far as you can recollect, you never sent any growth hormone down to St. Kitts -- down to Guadeloupe to Ms. Issajenko?

A. Yes.

Q. And ---

10 THE COMMISSIONER: You would have no idea then where Mr. Sharpe or Mr. Johnson would have gotten it? Because she said they got it when they arrived. Mr. Armstrong recalled the incident they described at the airport where ---

15 THE WITNESS: I don't know where they got it from because it was delivered to Angella and Charlie early -- earlier on.

20 THE COMMISSIONER: Mr. Johnson was in your office, wasn't he, and you gave him something to take down?

THE WITNESS: A bottle, a 30 cc bottle of aqueous-testosterone.

THE COMMISSIONER: Testosterone was what you gave him to take down?

25 THE WITNESS: Yes.

THE COMMISSIONER: For Angella.

THE WITNESS: Yes. They already had the --
the ---

5 THE COMMISSIONER: Did they have Estragol
already?

THE WITNESS: No, the growth hormone.

THE COMMISSIONER: The growth hormone,
that's what -- I meant growth hormone.

THE WITNESS: Yes.

10 THE COMMISSIONER: It was '84 before
Estragol, anyway.

MR. SOOKRAM:

15 Q. Is it your recollection, sir, that the
growth hormone that is allegedly going down by these
messengers is the not the growth hormone that you had
previously given to Mr. Francis?

A. No, I am saying that it must have been
that.

20 Q. You're saying it must have been that?

A. Yes, because I had only growth hormone
I got for him.

25 Q. The only supply of growth hormone that
you got from the \$1,200 given to you by Ms. Issajenko was
the growth hormone you delivered to Mr. Francis?

A. Yes.

Q. So, you didn't send --

A. And Ms. Issajenko at the same time. I didn't send it.

5 Q. They were both there?

A. Yes.

Q. When you gave him the supplies?

A. Yes. It was 14 bottles.

Q. 14 bottles?

10 A. Yes.

Q. So you had no knowledge of this one bottle going down at any particular time to Guadeloupe?

A. No.

15 Q. So, according to you, this entry is a mistake?

A. Yes. As far as I'm concerned, it is.

Q. You're not denying at all that you supplied growth hormone?

A. No, I'm not.

20 Q. But not in this form and in this manner down to Guadeloupe?

A. No.

25 Q. There is another entry, sir, dated June 1986 which was read into evidence which suggested that you supplied -- Ms. Issajenko's note is that she's laying

aside \$165 to pay you for Estragol. She didn't spell it correctly but we know what it's all about. And you told us before that Ms. Issajenko never failed to pay for whatever supplies you gave her?

5 A. Right.

Q. Can you remember receiving such an amount from her on June 1986? There is no date -- any time in June, 1986?

A. No, I can't remember.

10 Q. Are you denying that you ever got it?

A. No, I'm saying I can't remember.

Q. You can't remember the exact date?

A. No.

Q. But she always paid?

15 A. Yes.

Q. So this entry could very well be correct?

A. Yes, she always paid.

20 Q. I have, sir, at hand -- before I show you this, have you ever had a chance of looking at Ms. Issajenko's handwriting?

A. Yes.

Q. You're not an expert at handwriting or anything, are you?

25 A. No.

Q. No, but do you think you could recognize Ms. Issajenko handwriting if you saw it again?

A. I may be able to but she writes in about two or three different styles.

5 Q. Good. Sometime last year, sir, did you have occasion -- sorry, before you left for St. Kitts, did you have occasion to direct some of the athletes to specific doctors in Toronto?

A. Yes.

10 Q. To whom did you send Ms. Issajenko?

A. To Dr. John Fenn.

Q. To Dr. John Fenn. And did you at some subsequent time see Dr. John Fenn?

A. Yes, I saw Dr. Fenn fairly after.

15 Q. And did, on one of those occasions, did Dr. Fenn give you a memorandum from Ms. Issajenko?

A. Yes, he did.

Q. Is this, sir, the memorandum that you received from Dr. Fenn?

20 A. Yes.

THE COMMISSIONER: Well, are you going to put that ---

MR. SOOKRAM: I'm going to get you a clean copy, sir.

25 THE COMMISSIONER: I don't -- if there is

any personal matters in there.....

MR. SOOKRAM: Nothing personal, sir, I can assure you.

MR. ARMSTRONG: Sorry, I've snitched it.

5 And ---

MR. SOOKRAM: If you would like --

THE COMMISSIONER: Do you want to show this to Ms. Pinheiro, Mr. Armstrong, before you put it in?

MR. ARMSTRONG: Yes, I think we should.

10 MR. SOOKRAM: I have already, sir, given a copy to Commission Counsel.

THE COMMISSIONER: I understand that, but I thought since Ms. Pinheiro's here now she might want to say something.

15 MR. ARMSTRONG: There's your copy there.

MR. SOOKRAM: Thank you.

MR. ARMSTRONG: That's the one I took. Ms. Pinheiro has the other one.

20 THE COMMISSIONER: Will you check on Miss Pinheiro?

MR. ARMSTRONG: She may need a moment.

MS. PINHEIRO: If I could have a moment to go over this. This is the first time I've seen it.

25 THE COMMISSIONER: All right. Can you go on with something else at the moment, Mr. Sookram, and we'll

come back to this or would that throw your order?

MR. SOOKRAM: This is where I want to end today, sir.

THE COMMISSIONER: All right.

5 MR. SOOKRAM: I can assure you, sir, that I'm aware of the fact that a diary is a privileged document and anything I raise here will be of -- nothing of a personal nature.

10 THE COMMISSIONER: All right. We'll just wait for a minute then.

MR. SOOKRAM: It's all medical matters ---

THE COMMISSIONER: All right.

MR. SOOKRAM: And not private medical matters. It has all to do with steroids.

15 THE COMMISSIONER: All right.

MR. SOOKRAM: I could discuss something else.

THE COMMISSIONER: Well, maybe we're almost ready, I don't know. May I see the document, please?

20 MR. ARMSTRONG: I'd reflect on this, I'm not entirely sure exactly what it is that Mr. Sookram plans to do with it. It appears to be clearly a document that was written by Ms. Issajenko probably in the fall of 1986 and ---

25 THE COMMISSIONER: Well, for her doctor.

MR. ARMSTRONG: And she, apparently, on the evidence as we hear it, may have given it to Dr. Fenn, Dr. Fenn gives it to Dr. Astaphan. But if it's -- I'm not clear from the questions as they have been put, to this moment in time, exactly what purpose this document serves by putting it to Dr. Astaphan.

THE COMMISSIONER: Excuse me a moment. Ms. Pinheiro?

MS. PINHEIRO: Mr. Commissioner, just on a very cursory reading of this memorandum, in my opinion, there are matters in it which would be embarrassing to Ms. Issajenko and ---

THE COMMISSIONER: Well, what worries me, this looks like a document submitted to a doctor, it would have doctor -- doctor/patient confidentiality attached without the consent of Miss Issajenko.

MS. PINHEIRO: That worries me also, Mr. Commissioner. Plus, which we are not yet certain that Miss Issajenko has actually written this document.

THE COMMISSIONER: Are you planning to call Dr. Fenn, Mr. Armstrong, at any stage or not?

MR. ARMSTRONG: Well, I haven't -- I have not yet formed any clear intention of whether I'm going to call Dr. Fenn.

THE COMMISSIONER: Notwithstanding, it was

given to the doctor, Dr. Astaphan, it seems to be a document submitted by a patient to her doctor the same as an oral communication which, as you know, is under Health Disciplines Act, confidential unless it's consented to be released by the patient. That's why we got all of the releases of all the doctors who have been put insofar, medical records. We have the consent of the patient.

Could you defer this, Mr. Sookram, and you and counsel can work it out over the weekend, perhaps? I don't know what point you're trying to make, but if I do that, we're -- I think -- I've suggested to you, leave the stand at the moment to you and Mr. Armstrong and Ms. Pinheiro work it out. You might be able to do that.

I'm sure you've got lots more to go if you've got another day going for Monday. You've got lots of ammunition there. You've got a big file.

MR. SOOKRAM: Yes. What concerns me about this, sir, is that the -- I don't propose to look into the whole document, just one part which seems to cast tremendous doubt as to the accuracy of certain portions of the diary itself.

MS. PINHEIRO: Mr. Commissioner, I must object. This hasn't been proven to be Ms. Pinheiro writing.

THE COMMISSIONER: I don't think you should

do that. So far, I've heard very little contradiction between Dr. Astaphan's evidence and Miss Issajenko's.

MR. ARMSTRONG: Well, that's right.

THE COMMISSIONER: I mean, I don't think there's been anything said which contradicts Ms. Issajenko.

MR. SOOKRAM: This is what was going to do it.

THE COMMISSIONER: Pardon?

MR. SOOKRAM: This is what was going to do it.

THE COMMISSIONER: Well, we'll see about that. Just put it down at the moment, to work it out. I think it's a privileged document and you might be able to work out a passage with Miss Pinheiro.

MR. SOOKRAM: I accept your ruling, sir.

MR. ARMSTRONG: I realize, Mr. Commissioner, you made the ruling, but Mr. Sookram has made quite a strong statement.

I can tell you, sir, that I read this document yesterday when Mr. Sookram brought it to my attention and indicated to me that he thought it was significant and suggested that maybe I might put it to Dr. Astaphan.

I can tell you, that as counsel to you,

having read it, I did not come to the conclusion that he
came to and, in my view as Commission Counsel at least, it
would not have been appropriate to put it to Dr. Astaphan.
If there seemed to be some reason to recall Mrs. Issajenko
5 in relation to it, Dr. Fenn in relation to, that is
another matter.

But I can tell you, it certainly didn't lead
me to conclude to recall Ms. Issajenko in relation to it.

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MR. ARMSTRONG: If Dr. Fenn has something to add to the terms of reference of the Inquiry and the evidence that we have assembled that may be -- remains to be seen.

5 THE COMMISSIONER: I have ruled on it so far that I see it is as a privileged document, communication between a patient and a doctor. And we will have to work out the question of release of the patient. But so far, we haven't had too many obstacles in anybody's
10 way.

Carry on, Mr. Sookram.

MR. SOOKRAM: Thank you, sir.

MR. SOOKRAM:

15 Q. Now, Dr. Astaphan, when you left Toronto, bearing in mind the tape that was played yesterday, can you remember, or did the tape refresh your mind, as to how many bottles of Estragol you left with Mr. Francis?

20 THE COMMISSIONER: I think you told us yesterday.

THE WITNESS: When I left Toronto in 1986, he had over 20, quite a bit over 20 bottles.

25 THE COMMISSIONER: I mean that's what you left with him?

THE WITNESS: Yes.

MR. SOOKRAM:

5 Q. On the tape yesterday mentioned 24
bottles. When you spoke to him in January 1988, eight
months before the Olympics, the number of bottles
mentioned was 24, and he agreed?

A. Yes.

Q. Or he told you it was 24?

10 A. Yes.

Q. And he didn't want any more?

THE COMMISSIONER: No, he said he wanted
more, he would get all he could take.

MR. SOOKRAM: Yes.

15 THE WITNESS: No, that was the Inosine.

THE COMMISSIONER: Oh, I thought it was the
other. I am quite sure --

THE WITNESS: No, he said he a couple of
year's supply.

20 MR. SOOKRAM: He said he would take all the
Inosine he could get, but he didn't want any more of the
Estragol.

MR. SOORKAM:

25 Q. Now, at the rate the team was using the

Estragol at the time, bearing in mind that you had been away 16 months, how many bottles do you think he would have used up?

5 A. You mean between 1986 and when he spoke to me in '88?

Q. Yes. How many bottles a month would they have used?

10 THE COMMISSIONER: Well, unless we know who is doing the injections and the exact amount, the Doctor wasn't here to tell --

MR. SOOKRAM: It's difficult.

THE WITNESS: They should have used probably nine bottles maximum in the 18 months. That's accepting the fact that six or seven were using it.

15

MR. SOOKRAM:

Q. If more people were using them, more would have been used?

20 THE COMMISSIONER: He said nine bottles maximum out of 24.

MR. SOOKRAM: Yes.

MR. SOOKRAM:

25 Q. If the same people you left using it had continued using it?

A. Yes.

Q. But if more people came into the fold,
then more bottles could have been used?

A. Yes.

5 THE COMMISSIONER: Of if less was used then
planned, less would be used.

MR. SOOKRAM: Yes.

10 MR. SOOKRAM: Q. Do you know, Doctor,
whether more people came in to the Mazda team to use
steroids after you left Toronto?

15 A. The only three that I know of were Ben
and -- actually not -- Mark McKoy, Desai Williams, and I
think -- I think there was a female jumper called Tracy
Smith who was put on the program.

Q. But you are not sure about her?

A. No.

Q. You hadn't spoken to Ms. Smith?

A. No, not about --

20 Q. You hadn't injected Ms. Smith?

A. No.

Q. So, you knew nothing about it?

A. No.

25 Q. And so when you learned that the
bottles were to be moved from Mr. Francis' place to Ms.

Issajenko's place you took it -- before I get to that question, I better back track a bit.

When exactly did you learn that the bottles were moved from Mr. Francis' apartment to Ms. Issajenko's place?

A. I think it was August, the end of August last year.

Q. That's when you came back from St. Kitts to join the team to go to --

A. No, that was when we came back from -- from the European tour.

Q. I see. That was before you went down to St. Kitts to return?

A. Yes.

THE COMMISSIONER: Are you talking about August '88?

THE WITNESS: Yes.

THE COMMISSIONER: Before the 23rd, though? This is before before you went to Toronto?

THE WITNESS: That was before the 28th, before I left.

THE COMMISSIONER: Well, you weren't -- you came to Toronto and you were here, I think you were here the 25th, 26th, 27th, 28th?

THE WITNESS: I left here on the 28th, yes.

THE COMMISSIONER: Because you told us you injected Mr. Johnson on the 25th and 28th?

THE WITNESS: Yes, and I left.

THE COMMISSIONER: Where was that injection made by the way?

THE WITNESS: At his home.

THE COMMISSIONER: At his home?

THE WITNESS: Yes.

THE COMMISSIONER: Did he have his own supply at that time??

THE WITNESS: Yes.

THE COMMISSIONER: Pardon?

THE WITNESS: Did he? Yes.

THE COMMISSIONER: Pardon?

THE WITNESS: Yes, sir.

THE COMMISSIONER: That you had given him that bottle, had you, of Estragol?

THE WITNESS: Well, he had a bottle.

THE COMMISSIONER: But he got it from you?

THE WITNESS: Well, no, I didn't give him a fresh bottle. He had a bottle that was unopened.

THE COMMISSIONER: That you had supplied earlier. You said Mr. Johnson always wanted his own supply and Miss Issajenko. And when you left in September '86 --

THE WITNESS: He had --

THE COMMISSIONER: -- the rest was delivered to Mr. Francis and he was to do the injections in your absence. Isn't that what you told us?

5 THE WITNESS: Yes.

THE COMMISSIONER: Ms. Issajenko on her own?

THE WITNESS: Yes.

10 THE COMMISSIONER: She took her own. So, you must have given her a supply or she got it from Mr. Francis?

THE WITNESS: No, I didn't give her any, she got it from Charlie.

15 THE COMMISSIONER: I think her husband was injecting her at that time?

THE WITNESS: Well --

THE COMMISSIONER: Nothing turns on it.

THE WITNESS: I don't know.

20 THE COMMISSIONER: She has told us. Go ahead, Mr. Sookram.

MR. SOOKRAM:

25 Q. The people who got their own bottles, did they get their own bottles from you and did they get them from Mr. Francis?

A. Angella got her bottles from Mr. Francis. The others got whatever they got from Mr. Francis. Ben, most of the time, got them from me. I think on a couple of occasions he went and got them from Charlie.

THE COMMISSIONER: But you knew he had been injected by Mr. Francis as well, because --

THE WITNESS: Pardon?

THE COMMISSIONER: In that period between August 23 and 28, Mr. Francis had injected him with there white stuff.

THE WITNESS: With Ben.

THE COMMISSIONER: Yes?

THE WITNESS: Yes, I am not sure what he injected him with. I could be wrong. I think that Charlie had said he injected him with Inosine.

THE COMMISSIONER: No, he told us with the one --

THE WITNESS: I am not sure.

THE COMMISSIONER: -- with the one injection of the so-called Estragol.

THE WITNESS: I don't know.

THE COMMISSIONER: Go ahead Mr. Sookram.

MR. SOOKRAM:

Q. So, when you left, you left Mr. Francis with the 36 bottles that you got? You left Mr. Francis with the 36 bottles that you got?

5 A. I left him with all the bottles that I had with the exception of three.

Q. So, that would be 33 bottles?

THE COMMISSIONER: No, I think he said less than that.

10 THE WITNESS: I don't know how many it was, but he would have had over 24 bottles.

MR. SOOKRAM:

15 Q. In any event in January 1988, you talked about 24 bottles?

A. Yes.

Q. And in August 1988, you found out that the bottles had been transferred from Mr. Francis to Miss Issajenko's place?

20 A. Yes.

Q. And you reckoned that by your calculation assuming the team didn't increase or decrease, they would have used about 9 bottles?

25 A. Between '86, September, and January, '84, yes.

Q. Not between?

A. January '88, I am sorry.

Q. Well, at the rate they were going, from
January 1988 to August 1988, how many bottles would they
5 have used?

THE COMMISSIONER: Mr. Sookram, he said he
doesn't know. He doesn't know how many people were taking
it and what the dosage was, whether they were actually
taking it at the prescribed protocol?

10 THE WITNESS: Actually, I can tell you how
many should have been used.

THE COMMISSIONER: Purely a guess because
he hasn't got the accurate premises.

15 THE WITNESS: It would be a pretty accurate
guess. About five bottles.

MR. SOOKRAM:

Q. About five bottles. But you have no
way of being certain at all?

20 A. No.

Q. Were you ever told at what particular
date or time the bottles were transferred?

A. No, I wasn't.

25 Q. What was your reaction when you found
out that Ms. Issajenko had given 12 bottles to the RCMP?

THE COMMISSIONER: You mean to the our
investigators?

MR. SOOKRAM: Yes.

THE WITNESS: I figured she had 12 bottles
5 at her home and she gave it to the RCMP.

MR. SOOKRAM: I wonder, sir, if the
witness could be allowed to see one of other bottles, not
Exhibit 117A.

THE COMMISSIONER: Mr. Armstrong, would
10 you get one of those that have been analyzed.

MR. ARMSTRONG: We have already opened one.
Do you want to open another one?

MR. SOOKRAM: Yes. There is no secret any
more.

15 THE COMMISSIONER: I will have one, too.

MR. ARMSTRONG: All right.

MR. SOOKRAM: Could we have a look, please,
at the bottle that Sterling gave us with the Stanazolol,
the one with the label.

20 MR. ARMSTRONG: I forget what number is
that, do you know? The Winstrol. Is that Winstrol-V?

MR. SOOKRAM: Yes, thank you.

THE COMMISSIONER: The injectable,
Winstrol-V injectable.

25 MR. SOOKRAM: Yes.

THE COMMISSIONER: We have Winstrol-V pills and we have -- we have got a whole pharmacy here. What brand would you like this afternoon.

MR. SOOKRAM: So have I, sir, a full
5 pharmacy.

MR. ARMSTRONG: Well, here is 151. Here is 117F.

MR. SOOKRAM: We have seen that and the Doctor has already seen that.

10 MR. ARMSTRONG: I just opened that.

MR. SOOKRAM: Didn't somebody give him a bottle?

MR. ARMSTRONG: I gave him a bottle yesterday.

15 MR. SOOKRAM: Wasn't it the same one?

MR. ARMSTRONG: No, it was 117A. Do you want to see another one?

MR. SOOKRAM: Yes, as many as possible.

20 THE COMMISSIONER: You have got the Winstrol-V injectable. Surely, we can get a little better organized here. I am looking at 151. This is Winstrol-V injectable.

MR. SOOKRAM: Yes, that's the one with the label. I would like the Doctor to have a look at it.

25 THE COMMISSIONER: Okay.

MR. ARMSTRONG: All right. Here we are.

MR. SOOKRAM: So I don't get it mixed up with mine, I will hold it in my left hand, and the one that was tested by the lab.

5 MR. ARMSTRONG: What do you want 117A or which one?

MR. SOOKRAM: Any one will do. This is the one that had Stanazolol.

MR. ARMSTRONG: Have you got 117A there.

10 THE COMMISSIONER: There were two tests made, Mr. Sookram, one for the purpose of --

MR. SOOKRAM: Just finding out whether it had Stanazolol and the other one to break it down.

15 THE COMMISSIONER: To break it down; we had two tests taken.

MR. ARMSTRONG: Okay. All right. Here is 117A. That's 117F. Okay. That's been tested so many times it has got residue on the bottom.

20 THE COMMISSIONER: I am going to adjourn until Monday morning at 10 o'clock. And would you please get everything ready so we can get on a little quicker, Mr. Sookram.

25 Monday morning at 10 o'clock. My experience, when I was at the bar, if I had the weekend to review my notes I usually shortened my examination on the

Monday.

MR. SOOKRAM: I will take the hint, sir.

THE COMMISSIONER: All right. Thank you.

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--- Whereupon the proceedings adjourned until May 29,
1989, at 10 o'clock.

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